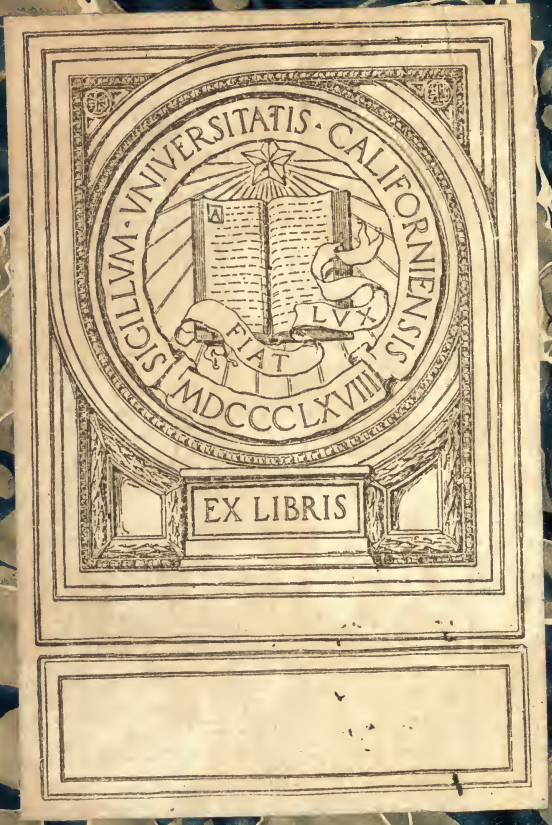
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A HISTORY

OF THE

PEOPLE OF THE UNITED STATES,

FROM THE REVOLUTION TO THE CIVIL WAR.

BY

JOHN BACH McMASTER,

UNIVERSITY OF PENNSYLVANIA.

IN SEVEN VOLUMES.

VOLUME II.

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To the Memory of

my Mother.

210894

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LIBRARY OF THE UNIVERSITY OF CALIFORNIA

HISTORY

OF THE

PEOPLE OF THE UNITED STATES.

CHAPTER VII.

THE BEGINNING OF PROSPERITY.

The State that sent James Jackson to Congress was the youngest of the thirteen. Indeed, six years had not gone by since the founder died. Old men still lived at Savannah who could distinctly recall how on a January morning, in 1733, the galley Ann sailed into Rebellion Roads and dropped anchor off the bar; how her deck was crowded by broken farmers and debtors fresh from the English jails; how the people of Charleston welcomed them, and fed them, and gave them lodgings in the barracks; and how their leader hastened southward to choose the site of the first settlement in Georgia.

Of all the men who brought out colonists and founded settlements on our shores, James Oglethorpe is the most interesting. He was no ordinary man, and his name has come down to us associated with no common personages and with no common events. In his youth he served under Marlborough in the Low Countries. He was with the eccentric Peterborough in Italy. He gained under Eugene, while fighting Turks in the Old World, that military skill which he displayed when he came to fight the Spaniards in the New. He was the friend of Atterbury and Johnson. Whitefield and the Wesleys owed him much. Pope gave him a couplet. Walpole did him honor by calling him a bully. He is described in the letters of Hannah More. He is mentioned by Boswell in the greatest of all biographies, and by Samuel Rogers in one of the most readable of all diaries. A polished gentleman, a brave soldier, a kind-

hearted and an upright man, Oglethorpe appears in our own history as the promoter of a noble charity. The plan failed. But, long before he died, the little colony for which he had done so much had grown to be a prosperous State, and had become a member of a prosperous confederation of States. Jews and Scotchmen, Salzburgers and Moravians, Quakers, and settlers from New England had come in, and had raised the population of Georgia, in days before the war, to fifty thousand souls. Many perished in the war. Yet the number went on increasing, and, when the first census was taken, was nearly thirteen thousand greater than in Rhode Island. The State, however, could boast of no such collection of streets and houses as the traveller beheld when he stood on the long wharf at Newport, or walked along the streets of the busy city on Providence Bay. The towns were few and small, and lay along the sea-coast or on the banks of the Savannah and the Medway rivers. On a bluff overlooking the Savannah stood the city of the same name. It was at that day but little more than a pretty village, with houses of wood, surrounded by gardens and broad verandas and trees. Not one of the highways was paved. In wet weather the sandy soil kept them dry. But when the days were hot and sultry, the streets became, as strangers said, like the great Sahara desert.* The glare was intolerable. Half the inhabitants wore "goggles."† At every step the foot-passenger sank to the shoe-top in sand.‡ Every gust of wind drove clouds of dust through the open windows and doors.# Commercially, Savannah had now no rival in the State. Sunbury had once seemed likely to surpass it. Twelve miles, indeed, separated that town from the sea. But the waters of the Medway river were deep; the inhabitants of Sunbury were from New England, and the place grew rapidly to a port of note. There were ship-yards, and stores, and fine docks faced with palmetto-logs and filled in with oyster-shells and sand. The fees of the port are known to have amounted to ninety

* Travels of Four Years and a half in the United States of America, during 1798–'99, 1800, 1801, and 1802, etc. John Davis, p. 100.

† Ibid., p. 100.

‡ A New and Complete American Encyclopædia; or, Universal Dictionary of Arts and Sciences, on an Improved Plan. J. Low. New York, 1805, p. 210.

Washington's Diary. Sunday, May 15, 1789.

pounds sterling in one year. Fifty-six ships did, in a twelvemonth, go out from the docks. Indeed, it was recorded with pride that seven square-rigged vessels had been seen to sail up the Medway in the light of a single day. Much of the lumber, the indigo, the rice, put down in the returns as the export of Georgia in colonial times, was loaded at the Sunbury wharves. When the war began, this prosperity ended. When the Constitution was adopted the town had fallen into decay. Part of it lay in ashes. The docks were rotting. The fort was in ruins. Few ships were seen in the river. Farms once under high cultivation were overgrown with myrtle and Bermuda-grass.*

Nor was the condition of Frederica much better. Oglethorpe had founded the town, fifty years before, on the island of St. Simon, and had there put up the quadrangular rampart and the fort of "tappy," which so long kept the Spaniards in awe. The climate was delightful. The people were thrifty Scotch, and Frederica soon grew to be the chief settlement of southern Georgia. The salubrity of the air, the broad streets shaded by orange-trees, the houses overlooking the waters on which Oglethorpe won his famous victory, made the town the resort of the rich planters who each summer left their plantations and came down to the coast. But, when the place ceased to be a frontier post, the energy which danger had inspired grew languid. Frederica, in 1790, was a ruined town. Augusta was a thriving village where the Indians came to barter skins for powder and rum. The site of Old Ebenezer was a cow-pen. Of New Ebenezer little more than the name remained. The Salzburgers had laid it out, and brought thither a love of learning and a knowledge of the culture of silk. In the library were books written in thirteen tongues. Nowhere else in the country could be seen so fine a collection of works in Coptic, in Arabic, in Hebrew, in Chaldaic. In 1772 four hundred and eighty-five pounds of raw silk went out from Ebenezer to the English mills. A few years later the British took the town. When they left it the church had been dese-

* For an account of Sunbury and Frederica, see Jones's Dead Towns of Georgia. Bartram's Travels through North Carolina, South Carolina, Georgia, etc., p. 60.

crated, the inhabitants abused, the books scattered, and the prosperity of the town too deeply injured ever to be repaired.*

It was hard indeed for the most favored village to grow and thrive in Georgia. There the town life of New England was unknown. Spots which, had they been in Massachusetts, would have been the sites of prosperous hamlets, were in Georgia parts of great plantations, where small families lived in indolence and ease. On such estates the chief products were negroes, rice, and tobacco. The silk industry was neglected. Indigo was fast ceasing to be profitable. Cotton was just beginning to be extensively grown.† The staple was tobacco, and this was cultivated in the simplest manner with the rudest of tools. Agriculture as we now know it can scarcely be said to have existed. The plough was little used. The hoe was the implement of husbandry. Made at the plantation smithy, the blade was ill-formed and clumsy; the handle was a sapling with the bark left on. After a succession of crops had exhausted the soil, the cow-pen was passed over it. Few roads were ever marked by the tires of a four-wheel wagon or a tumbrel. When the tobacco was ready for the inspector's mark, stout hogsheads were procured, the leaves packed, the heads fastened in, a shaft and a rude axle attached, and, one by one they were rolled along the roads for miles to the tobacco-house nearest by.‡ There the merchants bought them, sometimes with money, sometimes with such goods as the planters wanted from over the sea. The list was a long one, for not so much as a broom was made in the State. The books and the furniture, the harpsichord and the spinet, the wine, the linen,

* Jones's Dead Towns of Georgia; also, History of the Salzburgers.

† "The planters of South Carolina are making experiments in the culture of cotton, and they have proved hitherto very satisfactory, promising great profit. We hope to see their cotton-bags, before long, the wool-packs of America. We learn that they have got the gin, or machine for cleaning it, by which the profit of raising it must be much increased. . . . The large towns in the middle and northern States will probably become the scenes of considerable cotton manufactures. . . ." American Museum, April, 1788, p. 391. Anburey describes the cotton-gin of Virginia in 1779. Travels, etc., vol. ii, p. 377.

‡ See a good description in Richmond in By-gone Days, pp. 270–272. See, also, Jones's Dead Towns of Georgia, p. 325, Bolles's Industrial History of the United States, and a paper by Mr. Trenholm, in South Carolina, a book published by the State Board of Agriculture, 1883.

the china, and the shoes, all came in from abroad. The cards with which they gambled, the coach in which the fine lady took her airing or went to church, the saddle on which the fine gentleman went to the hunt, were each of foreign make. Nor was there any stint of French and English goods. Separated by miles from each other, the prosperous planters spent their money in the adornment of their homes, and their time in the exercise of a noble hospitality and the enjoyment of the roughest of sports.* Bees and huskings, plays and assemblies, barn-raisings and tea-parties, were indeed not in vogue. No pastime could flourish among them that did not partake of danger or risk. They formed hunting clubs, and met once a fortnight. They gambled, they bet, they gathered in crowds to see cocks cut each other to pieces with spurs made of steel. They came from all parts to enter their horses for quarter races or contest for a purse in three-mile heats.† At such times the men of a lower caste played E. O. and faro, wrestled, and seldom went home without a quarrel, or perhaps a brutal fight. We are told by those who beheld these scenes that the fighting was rarely in hot blood; that the preliminaries were coolly arranged, and that each combatant agreed before he began whether it would be fair to bite off an ear, to gouge an eye, or maim his opponent in a yet more terrible way. ‡ Gouging was always permissible. Every bully grew a long thumb-nail or finger-nail for that very purpose, and when he had his opponent down would surely use it, unless the unfortunate man cried out "Kings' cruse," or enough. If the gouger took out the eye of but one man, his punishment might be a few hours in the pillory and a few lashes of the whip. When he repeated the offence, he might, the law declared, be put to death. Yet the practice was long a favorite one, and common as far north as the Maryland border.#

* A Georgia Planter's Method of spending Time. American Museum, November, 1790.

† At the great towns the quarter-races took place on the course. But, in the country districts, the quarter racing was done on two broad, straight paths near some tavern in the woods. The paths were one quarter of a mile long, parallel, and eight or ten yards apart. Anburey's Travels, etc., vol. ii, p. 349.

‡ Travels through the States of North America. Weld, vol. ii, p. 144. Anburey, Travels, etc., vol. ii, p. 333. Anburey calls it "Abelarding each other."

Rochefoucauld, vol. i, p. 64. Memoirs of Elkanah Watson, pp. 47, 60.

South of that border the greatest of cities was Charleston. The place stood upon a low tongue of land which nowhere rose more than ten feet above the high spring tides in the Ashley and Cooper rivers.* Men who still felt young could recall the time when the site of the State-House was a pond where sportsmen shot ducks; when a creek ran up to where the French church stood; when boys swam over a spot of ground which in 1791 was covered with shade-trees and shrubs, and they looked forward to the time when the marshes should be diked, when the bogs should be dried, when the streets should be paved and provided with covered drains.† Already the city was a great commercial centre. At the wharves might have been seen, almost any day, scores of vessels laden with every article of luxury or use Great Britain could supply. In the hands of her subjects was all the trade and all the commerce of the State. To own a ship, to keep a shop, to do any of those things done by merchants and traders, was, in the opinion of a Carolina planter, degrading. The one serious occupation for such a man was the care of his negroes and his land. If his estate lay far from the coast, he saw it but seldom. The overseer ruled the slaves. The master spent his time in the enjoyment of such festivities as Charleston could afford. There he lived in a fine house, gave fine dinners, went to the theatre to see Mrs. Rawson, or to the circus to see Mr. Ricketts, subscribed to the assembly, joined the Hell-Fire Club or the Ugly

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Travels through the States of North America. Isaac Weld, Jr., vol. ii, p. 143. Travels through the Interior Parts of America. Anburey, vol. ii, pp. 309–311. See, also, an allusion to the custom in The Echo, No. xviii. Connecticut Courant, August 24, 1795. At a later period Nolte mentions the practice of gouging as common in the western States, and declares that in the Legislature of Kentucky he heard a speaker exclaim: "We must have war with Great Britain. War will ruin her commerce. Commerce is the apple of Britain's eye. There we must gouge her." Fifty Years in both Hemispheres; or Reminiscences of the Life of a former Merchant. Vincent Nolte. Gouging has also been made the subject of what is, undoubtedly, one of the very best told of anecdotes. It occurs in the opening pages of Georgia Scenes, Characters, Incidents, etc., in the First Half Century of the Republic, by a native Georgian.

* A Sketch of the Soil, Climate, Weather, and Diseases of South Carolina. Charleston, 1796. David Ramsay, p. 11.

† A Sketch, etc. Ramsay, pp. 25, 26.

Club, the Jockey Club, or the Mount Zion Society, and rode his favorite horse at the races.*

No other sports were so popular and so fine. They took place in February, continued four days, and made the event of the year. One who often attended them declares that for hours before the sport began the roads to the course were choked with horses and coaches and men; that the shops were closed, that the streets were deserted, that a dead stillness fell upon the town. On the night of the third day the Jockey Club gave a ball; gentlemen hastened to settle their bets, and large sums of money changed hands.† Betting and gambling were, with drunkenness and a passion for duelling and running in debt, the chief sins of the Carolina gentleman. ‡ Before the revolution, duels had been few in number and the sword the only weapon used. Since the war they had become a crying evil,# and the pistol had taken the place of the sword. ‖ To punish offenders was impossible. The juries, indeed, would convict them of manslaughter, and for this the penalty was burning in the hand; but the penalty was never enforced.^

On such plantations as lay within an easy journey of the city, the owners passed many months of each year. ◊ There the houses of wood, surrounded by rice-fields and corn-fields, and negro huts, stood back several miles from the travelled road. ‡ Men who had journeyed far and seen much were amazed to come suddenly before such buildings in the midst of what seemed a wilderness. The handsome gardens and the

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* "Man zahlet bei 20 verschiedene Clubbs, und die meisten Einwohner sind Glieder von mehr, als einem. Diese gesellschaftlichen Verbindungen geben sich zum Theil wunderliche Namen, als, Mount Zion Society, Hell-Fire Clubb, Marine Anti-Britannic Society, Smoking Society, u. dgl." Reise. J. D. Schoepf, vol. ii, p. 266.

† Ramsay, History of South Carolina, vol. ii, pp. 403, 404.

‡ "Drunkenness may be called an endemic vice of Carolina." Ramsay, History of South Carolina, vol. ii, p. 391. "A disposition to contract debts is one of the vices of Carolinians." Ibid., p. 395. "These (duels) take place oftener in Carolina than in all the nine States north of Maryland." Ibid., pp. 387, 388.

Ibid., p. 389. ‖ Ibid., p. 389. ^ Ibid., p. 389.

◊ Life and Correspondence of the Rev. William Smith, D.D., vol. i, p. 469.

‡ Travels of Four Years and a half in the U. S. of America. John Davis, p. 68. See, also, Anburey, p. 114; Memoirs of Elkanah Watson, p. 54; Smyth's Tour, vol. i, pp. 15, 16; Travels through the States of North America. Weld.

broad paths, the fine paintings that hung on the walls, the books that made up the library, all bore evidence of the refinement and good sense of the owner. Educated in England, he had come back to his native State with a lively appreciation of good blood and a fondness for ceremony and display. At his home strangers were heartily welcome and nobly entertained. Some bade their slaves ask in any traveller that might be seen passing by.* Some kept servants on the watch to give notice of every approaching horseman or of the distant rumble of a coming coach-and-four. Then in a moment a transformation began. Shirts and jackets were hastily thrown aside, and, ere the visitors arrived, a band of idle blacks had become a dozen liveried slaves.†

Were it not for such hospitality, the lot of the traveller would have been a hard one indeed. The roads that led north and south were good and well cared for; but the inns throughout the whole South were execrable. ‡ Travellers of all sorts have agreed that the condition of the buildings, the coarseness of the fare, the badness of the beds, and the exorbitance of the reckoning,# could not be equalled elsewhere. Not one of them displayed a sign, and, save for the number of handbills posted up beside the door, the inn was like every other house along the way. ‖ The windows had often no sashes, the roofs let in the rain. Mattresses were unknown, and on the hottest night in summer the weary lodger was compelled to lie down upon a feather bed. Breakfast cost six shillings; dinner cost a dollar. A night's lodging was half as much; but if clean sheets were demanded, the price was sixpence more. Supper was rarely eaten. Innkeepers attributed these evils to the customs of the land, and declared that, while wayfarers found entertainment at the houses of the great, the condition of the taverns could never be improved.^ There were, of course, exceptions. Here and there in the large towns were to be seen ordinaries with which the most fastidious

* Travels of Four Years and a half in the U. S. of America. John Davis.

† Travels of Four Years and a half in the U. S. of America. John Davis.

‡ Smyth's Tour, vol. i, p. 50. Memoirs of Elkanah Watson, p. 47. Travels through the States of North America. Weld, p. 137.

New Travels in the U. S. of America. De Warville, p. 374.

‖ Weld's Travels, p. 41. ^ Ramsay, History of South Carolina, vol. ii, p. 386.

could find little fault. No better specimen of a good southern inn existed than the Eagle Tavern at Richmond. The building was large, was of brick, and provided with a long veranda in front. For a shilling and sixpence, Virginia currency, the traveller was shown to a neat bed in a well-furnished room up one flight of stairs. On the wall was fastened a printed table of rates. From this he learned that breakfast cost two shillings, and dinner, with grog or toddy, was three; that a quart of toddy was one and six, that a bottle of porter was two and six, and that the best Madeira wine sold for six shillings a quart. When he rose in the morning he washed his face, not in his room, but on the piazza, and ate his breakfast, in the coolest of dining-rooms, at a table adorned with pewter spoons and china plates. Off at one side was a tub full of water wherein melons and cucumbers, pitchers of milk and bottles of wine, were placed to cool. Near by was a water-case which held two decanters. If he called for water, a wench brought it fresh from the spring, and he drank from a glass which had long been cooling in a barrel which stood in one corner of the room. For his lodging and his board, if he ate a cold supper and was content with one quart of toddy, he paid to the landlord of the Eagle ten shillings, Virginia currency, or one dollar and sixty-six cents, Federal money, each day.* The tavern was indeed a famous one. In it, during race week, the ball was held, and of all balls this was the finest. Gentlemen would have found no admittance had they come in boots and pantaloons. Silk stockings and small clothes, pumps set off with huge buckles, and heavily powdered hair, was then the dress. The ball began soon after sundown, and the opening dance was always a minuet de la cour. The music was as solemn as that of a hymn. When the company had assembled, the managers, each with a huge cocked hat beneath his arm, would lead some favored lady, at arm's length, by the tips of her fingers, to the floor. The bowing and scraping, the courtesying, the tiptoeing, the solemn advancing and turning of the minuet once through, a contra-dance or a reel would begin. Then the fine gentlemen showed their skill at cutting pigeon-wings. A hornpipe

* See an extract from the Journal of Rev. Henry Toulmin descriptive of Richmond in 1793. Richmond Standard, August 14, 1880.

or a congo followed, and, when the old people had retired, a jig.*

Taverns of the poorer kind derived their support from loungers and tipplers, and from the crowd which gathered in the tap-room during the sitting of the court, on election days, on holidays, and when a neighbor's goods were to be disposed of in a public way. Vendue was almost unknown. When a collection of household furniture was to be sold, the whole village assembled, gun in hand. A mark was set up, the distance measured, a table or a chair made the prize, and, when all who wished it had paid down a few pence, the shooting began. The best marksman won the article.† Sometimes a bullock was the prize. Then the best shot had the first choice of parts. When he made it, more shooting and more choosing followed till the whole carcass was sold.

Still more wretched were the inns of North Carolina.‡ The traveller who at that day quitted Charleston and journeyed northward went commonly along a good road, which led by plantations, and over swamps, and through pine-barrens to Beaufort and Georgetown and Wilmington, and on to the little village of Duckinfield on Albemarle Sound. There, if the wind were high and the Sound rough, he might be forced to wait two days before the ferryman would carry him over the eight miles of water that lay between him and the Edenton shore.# Once in Edenton, the road ran along the edge of the great Alligator Dismal Swamp to the Carolina border, and thence to Suffolk in Virginia. Beaufort was a straggling village.‖ Georgetown numbered one hundred houses.^ Wilmington had twice as many more.◊ In these towns rude accommodations were to be had. But if hunger or night compelled the traveller to stop at a roadside tavern or an ordinary in the woods, he found poor cheer awaiting him. The house was of clapboards or logs. Without was an oven of clay. Within was a single room. The roof and the walls were neither ceiled

* Richmond in By-gone Days, pp. 179, 180.

† Ramsay, History of South Carolina, vol. ii, p. 408.

‡ Description of a North Carolina Ordinary. American Museum, December 1790, pp. 278, 279.

Smyth's Tour, vol. ii, p. 91.

‖ Smyth's Tour, vol. ii, p. 85.

^ Ibid.

◊ Ibid.

nor plastered. Some benches, a bed, a table, and a chest or two were all the furniture to be seen. In winter he might sleep by the fire. In summer he lay out of doors under a blanket made fast to four small stakes to keep off flies and the dew. Whether he asked for breakfast or dinner gave little concern to his host. One meal was like another, and they all consisted of bacon, eggs, hominy, coarse bread, and New England rum. When at last Suffolk was reached, two roads were before him. One skirted the Dismal Swamp and led to Norfolk. The other passed through Smithfield and Williamsburg in Virginia.

Williamsburg had, in colonial times, been the capital of the province. There had been the Governor's palace, long since reduced to ashes, and there every winter, when the House of Burgesses was sitting, had gathered all the wealth and all the fashion of Virginia. No such handsome women, no such assemblies, no such dinners, no such liveries, it was thought, could be seen anywhere else in America. The rich planters who sauntered into the House of Burgesses to hear Patrick Henry speak, or went, on reception-days, to pay their respects to the Governor, and rode up and down the great street at the proper time of day, bowing to the fine ladies in their coaches, followed by slaves in rich liveries, were, in the opinion of every Virginian, the most polished and refined of gentlemen. With the departure of the Government had gone much of the ancient splendor of the town. Yet the place was still an attractive one to foreigners and travellers. Scarce one of them failed to note in his journal that, in the new part of the town, the by-ways were laid out as a W,* and that in the old the main street was a mile long, very broad, very sandy, and unpaved. Across one end of this street stood the capitol.† At the other the College of William and Mary closed the way, ‡ a college that boasted of being among the oldest in America, and dated its origin from the days when no such thing as a printing-press existed in Virginia. The faculty at one time

* Einige Nebenstrassen, welche nach Süden und Osten liegen, sind in der Gestalt des Buchstaben W angelegt. Reise. J. D. Schoepf, vol. ii, p. 121; also Smyth's Tour, vol. ii, p. 19.

† Smyth's Tour, vol. ii., p. 19. "Die gerade und breite Hauptstrasse ist beynahe einer Meile lang." Reise. J. D. Schoepf, vol. ii, p. 121.

‡ Reise. J. D. Schoepf, vol. ii, pp. 121, 122. Smyth's Tour, vol. ii, p. 19.

numbered six professors and a president. On the library-shelves three thousand volumes were gathering dust. For a hundred years divinity and mathematics, Greek and Latin, philosophy and metaphysics, had been taught to lads whose fathers could not afford to send them to the great universities of England. Nor was the number of such men small. The Virginia gentlemen were far from rich. Their estates indeed were noble. Their hospitality was profuse. They kept studs and raised fine horses. They owned coaches and chariots, and filled their houses with richly liveried slaves. But much of this splendor was deceptive. As a community they were bankrupt and steeped in debt. That financial integrity which flourishes best among merchants and traders was unknown to the landed gentry of Virginia. While the tradesman was clamoring for the price of his goods, while the doctor called again and again for his fees, the great planter was ready to bet a slave at a horse-race, or squander at a cock-fight hundreds of pounds borrowed at high rates of interest. Tobacco notes made no inconsiderable part of the currency of the State.* Coppers did not exist. In place of small change were silver dollars cut into quarters and halves,† a kind of currency long known in Richmond as "sharp-shins." The merchants held what ready money there was. If any were wanted to improve a highway, to build a school-house, to make some repairs on a country church, a lottery was the only means by which the sum could be collected. Many of the parish churches had been put up by the great families on whose estate they stood. But the days of Episcopal supremacy were gone. The Church had been disestablished. Toleration had been secured. The clergy had fallen into disrepute, and, even in the large towns, the buildings were given over to vermin and decay. In such as were kept open, much of the ancient ceremony was maintained. There were seats without cushions, to which the poor hurried and sat down. There were

* New Travels in the U. S. of America. De Warville, pp. 437, 438.

† Richmond in By-gone Days, pp. 213, 214. "This scarcity of small money subjects the people to great inconveniences, and has given rise to a pernicious habit of cutting pieces of silver coin into halves and quarters." New Travels in the U. S. of America. De Warville, pp. 438, 439, London Edition, 1792.

high box-pews, to which the great ladies and their families gravely walked, followed by slaves, who bore the prayer-books and shut the pew-doors with a bang. The bans were still cried. The minister still climbed to the lofty pulpit by a spiral stair. On the walls were hanging pews; and tablets of stone sacred to the memory of the dead who slept without. Distinguished parishioners were still put to rest in the vault under the communion-table or the broad aisle. The congregation was still summoned by the bell that hung from the branches of some sturdy tree near the church-door.* Service ended, the old men discussed the last election, or the last hunt. The young men, hat in hand, escorted the women to the coaches, and, mounting their horses, rode home after them to partake of a heavy dinner, and, perchance, go under the table in a drunken sleep.

The daily life of such men was a strange mixture of activity and sloth. When they were not scouring the country in search of a fox, when they were not riding twenty miles to a cock-fight or a barbecue, they seem to have indulged in all the idleness of an Eastern pasha. Travellers from a colder climate were amazed to see a man in the best of health rise at nine, breakfast at ten, and then lie down on the coolest pallet in the house to drink toddy, bombo, or sangaree, while a couple of slaves fanned him and kept off the flies. At two he ate his dinner; supper he rarely touched. At ten he went to bed.†

Nor did men of a lower rank act any better. Their manners, indeed, were coarser; their education was poorer; their plantations were smaller; their pedigrees could not be traced back even to the third son of an English baron. Yet they were as idle and hospitable, indulged in the same excesses, and took part in the same sports as the great proprietors, who affected to look down upon them with contempt. Beneath them, and far beneath them, were the poor whites. Made up in great part of indentured servants whose time had run out, they were the most lazy, the most idle, the most shiftless, the

* Travels of Four Years and a half in the U. S. of America. John Davis, p. 305.

† For a description of the life of a Virginia planter of that day, see Smyth's Tour, etc., vol. i, pp. 41, 42, and Burnaby's Travels, p. 156. Anburey's Travels through the Interior Parts of America, vol. ii, pp. 293, 294.

most worthless of men. Their huts were scarce better than negro cabins. The chimneys were of logs with the chinks stuffed with clay; the walls had no plaster; the windows had no glass; the furniture was such as they had themselves made. Their grain was thrashed by driving horses over it in the open field. When they ground it they used a rude pestle and mortar, or, placed in the hollow of one stone, they beat it with another. Work of every kind they abhorred. Some among them might, with proper encouragement, have become artisans and mechanics. No class of laborers was more needed. Beyond the limits of the great towns or the seaboard villages, a carpenter or a smith, a mason or a wheelwright, was seldom to be seen. Now and then some half-starved mechanic would earn a precarious livelihood by wandering from plantation to plantation repairing harpsichords, mending clocks, or performing such services as were beyond the skill of the slaves. But for these men the poor whites felt contempt. Their days were passed in lounging about the taverns, quarrelling and gambling, and creating disturbances at elections.

The fights and brawls which took place at such times in Virginia were worthy of an Irish fair. The manner of conducting elections throughout the entire South was bad. A southern representative well described it on the floor of the House as "a nursery of mischief." * In place of bringing men together in small bodies, the electors of an entire county were gathered at one court-house, and in the presence of the sheriff were polled. The rival candidates would appear with bands of followers, and whichever was the stronger would drive the other away. Such a scene was described to the House of Representatives by a committee on a contested election, and was declared by the southern members of the House to be quite common. The place was Montgomery Court-House, in Virginia. The occasion was the choosing of a representative to Congress. One of the contestants was so fortunate as to have a brother who, in command of sixty or seventy Federal troops, was camped near by. On the morning of election-day the soldiers were paraded, marched to town, led thrice around the court-house, drawn up before the door, and polled for the

* Annals of Congress, April, 1794.

brother of their chief. They then threatened to beat any one who wished to vote against their man, knocked down a drunken magistrate, mounted guard at the court-house door, and stopped the voting till the countrymen stoned them back to camp. The committee, shocked at such proceedings, reported that the sitting member should lose his seat; but the southern representatives supported him. One who came from Maryland declared that he never knew of an election in the southern States where so little mischief was done. He could name one at which a chancellor of a court of justice bred a riot in his own court to help his own party. Much had been said about a man coming to Montgomery Court-House with a club under his coat. That was nothing. At his own election five hundred of his constituents had clubs under their coats. If such a matter were to unseat a member, the House had better begin by unseating him. How were elections conducted in the South? A man of influence came to the polls at the head of two or three hundred of his friends, and, naturally, would not suffer any one of the other party to give a vote if he could help it. The custom might be a bad one; yet it was the custom. A gentleman from South Carolina affected to be much surprised at this; but was promptly reminded that at his own election a riot had occurred, that it had occurred in a church, and that a magistrate began it by knocking down a voter and dragging him into the road. The speaker who made this statement declared he was present and saw the affray.*

Beneath the poor whites were the negro slaves. If the infamy of holding slaves belongs to the South, the greater infamy of supplying slaves must be shared by England and the North. While the States were yet colonies, to buy negroes and sell them into slavery had become a source of profit to the inhabitants of many New England towns. Scarce a year passed by but numbers of slavers went out from Boston, from Medford, from Salem, from Providence, from Newport, from Bristol, in Rhode Island. The trade was of a threefold kind. Molasses brought from Jamaica was turned to rum; the rum dispatched to Africa bought negroes; the negroes, carried to Jamaica or the southern ports, were ex-

* Annals of Congress, April 29, 1794.

changed for molasses, which in turn, taken back to New England, was quickly made into rum.* The ships were light of draught and built for speed. The captain and the crew were men little troubled with scruples touching the work they had to do. Once off the coast of Mozambique or Guinea, the cargo was rapidly made up. If a band of blacks, moved by curiosity, came round the vessel in a skiff, they were sure to be lured on board, ironed, and hurried into the hold. If a boat's crew went on shore, they came back dragging some wretched man between them. For rum the native princes gladly sold the prisoners that their subjects made in war. When every available inch of space in the hold had been filled, the slaver turned westward and made for some southern port. The coast-line had scarcely disappeared from view when the hatches were taken off and the terrors of the voyage began. Every fine day at sunrise the slaves were driven on deck. Such as were noisy had the thumb-screws put on. Such as were hard to manage were chained in pairs by the arms, or the ankles, or the necks. At the first signs of insurrection the leaders were shot down and cast into the sea. Their food was salt pork and beans. Their sole exercise was dancing and capering about the deck. This they were made to do. If any refused, the cat-o'-nine-tails or the rope's end was vigorously applied. When the sun set, the whole band went below. There the space

* The transactions of one slaver may be cited as illustrative of those of many others. The cargo of the Cæsar, out-bound, was: 82 barrels, 6 hogsheads, and 6 tierces of New England rum; 33 barrels of best Jamaica spirits; 33 barrels of Barbadoes rum; 25 pairs of pistols; 2 casks of musket-balls; 1 chest of hand-arms; 25 cutlasses. The return cargo was: "In the hold on board of the scow Cæsar, 153 adult slaves and 2 children." Brooks's History of Medford, pp. 436, 437. The books of another give a more detailed account:

Dr. THE NATIVES OF ANNAMBOE.			PER CONTRA.		*Cr.*
1770.		Gals.	1770.		Gals.
April 22.	To 1 hogshead of rum...	110	April 22.	By 1 woman slave.....	110
May 1	" rum.....	130	May 1.	" 1 prime woman slave.	130
" 2.	" 1 hogshead rum.....	105	" 2.	" 1 boy slave, 4 ft. 1 in.	105
" 7.	" " "	108	" 7.	" " " 4 ft. 3 in.	108
" 5.	" cash in gold.....	5 oz. 2	" 5.	" 1 prime man slave.	5 oz. 2
" 5.	" " " ..2 oz.	3 oz. 0	" 5.	" 1 old man for a Lingister....	3 oz. 0
" 5.	" 2 doz. of snuff.1 oz.				

History of Medford, pp. 436, 437.

assigned each to lie down in was six feet by sixteen inches. The bare boards were their beds. To make them lie close, the lash was used. For one to turn from his right side to his left was impossible, unless the long line of cramped and stiffened sufferers turned with him.* But the misery of a night was as nothing to the misery of a stormy day. Then the hatches were fastened down, tarpaulins were drawn over the gratings, and ventilation ceased; the air grew thick and stifling; the floor became wet with perspiration; the groaning and panting of the pent-up negroes could be heard on deck; their mouths became parched, their tongues swollen. When the storm was over, the hatches opened and the tarpaulin drawn away, the air that would come from the hold was like that from an oven. The hardiest in the crew could not inhale it without growing faint. The stench was terrible. It was not uncommon for as many as five dead bodies to be brought up and flung over the ship's side. On a slaver making the middle passage a mortality of thirty per cent was not rare. As the voyage drew to a close the treatment of the slaves improved. The sick were cared for; those in chains were set free; whip-

* The arrangement of the negroes in a slave-ship is illustrated by a folding cut in American Museum, May, 1789. The cut was prepared at the expense of the Philadelphia Society for Promoting the Abolition of Slavery, and is a copy of a plate accompanying the report of a committee who investigated the slave-trade of Plymouth, England. The plate is rarely found in such copies of the Museum as can now be purchased, but is common in the antislavery documents of a later day. By the Plymouth Pamphlet we are assured that "In the men's apartment the space allowed to each is six feet in length by sixteen inches in breadth. The boys are each allowed five feet by fourteen inches, the women five feet ten inches by sixteen inches, and the girls four feet by one foot each." Many facts regarding the terrors of the slave-ships are given in "The Substance of the Evidence of Sundry Persons on the Slave-Trade. Collected in the course of a Tour made in the Autumn of 1788." London.

The Plymouth Pamphlet describes the manner of packing away the slaves on a vessel which carried six hundred and nine of them. "Platforms, or wide shelves, were erected between the decks, extending so far from the side toward the middle of the vessel as to be capable of containing four additional rows of slaves, by which means the perpendicular height between each tier was, after allowing for the beams and platforms, reduced to two feet six inches, so that they could not even sit in an erect posture; besides which, in the men's apartment, instead of four rows, five were stowed by putting the head of one between the thighs of another." For letters of instruction to captains of slavers, see Felt's History of Salem, vol. ii, pp. 289, 290. Brooks's History of Medford, pp. 436, 437.

ping was given more sparingly. Indeed, when the negroes stood forth on the auction-block for inspection and for sale, every trace of the irons and the lash had been carefully removed from their bodies. From the auction-stand they were carried to the plantations, where, among negroes not much more civilized than themselves, they learned to speak a dialect that passed for English, and to perform the duties of a field-hand.

Under the kindest of masters the condition of the slaves was most pitiable. Those whose lot it was to give suck to the children, to fan the master, to wait at the table, to ride before the stick-back gig, or follow the cumbrous coach when the mistress went forth to ride, enjoyed, perhaps, the largest share of ease and comfort. Sometimes a negro of marked intelligence would be suffered to become a blacksmith or a mason, or be sent to a neighboring village to sweep chimneys or sell fruit; but the great body of slaves were still as barbarous as the blacks who ran wild on the Gambia or along the banks of the river Congo. They were still as ignorant, as superstitious, as devoted worshippers of stocks and stones, as their most remote ancestors. Spirits and ghosts, witches and devils, were to them as much realities as the men they spoke with or the wind they felt blow. The moon inspired them with peculiar awe; the darkness filled them with dread; nor would the boldest among them willingly go through a wood after sundown without a hare's foot in his hand. Of charms and evil eyes they lived in never-ending fear. Bright colors, gay clothes, glittering objects, were their delight. Of music and the dance they were passionately fond. With fragments of a sheep's rib, with a cow's jaw and a piece of iron, with an old kettle and a bit of wood, with a hollow gourd and a few horse-hairs, they would fabricate instruments of music and play the most plaintive airs.

Against the plottings of such men as these their masters defended themselves by brutal laws. Lashes were prescribed for every black who kept a dog, who owned a gun, who had a "periagua," who hired a horse, who went to a merrymaking, who attended a funeral, who rode along the highway, who bought, or sold, or traded without his owner's consent.* Slaves

* Virginia Laws, 1792, chap. 41, § 8. South Carolina Statutes at Large, vol 7, p. 404, § 13. Georgia Laws, 1770, Act No. 204, § 12.

were forbidden to learn to write * or read writing, to give evidence against a white man,† to travel in bands of more than seven unless a white man went with them,‡ or to quit the plantation without leave. Should they do so, the first freeman they fell in with might give them twenty lashes on the bare back.# If one returned a blow, it became lawful to kill him. ‖ For wandering about at night or riding horses without permission, the punishment was whipping, cropping, or branding on the cheek.^ When his crime was murder or house-burning, the justices might, if it seemed best, command his right hand to be cut off, his head to be severed from the trunk, the body quartered, and the pieces hung up to public view. ◊ Next to murder, the worst offence a slave could commit was to run away. Then the Legislature could outlaw him, and any free white that met him might kill him at sight. ‡ To steal a negro was felony. To take his life while punishing him was not. Indeed, if a planter provided coarse food, coarse clothes, and a rude shelter for his slaves; if he did not work them more than fifteen hours out of twenty-four in summer, nor more than fourteen in winter, and gave them every Sabbath to themselves, he did quite as much for their comfort as the law required he should. Before the law a slave was a chattel; could be bought or sold, leased or loaned, mortgaged, bequeathed by will, or seized by the sheriff in satisfaction of a debt. Property he could neither hold nor acquire. If the State gave him land for his services in the war, the court bestowed it all upon the master. If he went

* Georgia Laws, 1770, Act No. 204, § 39. South Carolina Statutes at Large, vol. 7, p. 413, § 45.

† Maryland Laws, 1717, chap. 13, §§ 2 and 3. (1796) Cox *v.* Dove, 1 Martin (N. Car.) Repts., 43. (1821) White *v.* Helmes, 1 M'Cord (S. Car.) Repts., 430.

‡ Georgia Laws, 1770, Act No. 204, § 38. South Carolina Statutes at Large, vol. 7, p. 413, § 43.

South Carolina Statutes at Large, vol. 7, p. 398, § 3. Georgia Laws, 1770, Act No. 204, § 38. See also § 5.

‖ South Carolina Statutes at Large, vol. 7, p. 399, § 5. Georgia Laws, 1770, Act No. 204, § 5.

^ Maryland Laws, 1751, chap. 14, § 8. The letter R was branded on the cheek. See also Laws 1754–'57–'62–'65–'73–'80–'87–'95–'98.

◊ Maryland Laws, 1729, chap. 4.

‡ Hayward's Manual, pp. 521, 522. In 1792 the outlawry of slaves was expunged from the Virginia code.

forth and labored for a price, even with his owner's leave, the money was not his. Nothing could be left a slave by will. He could not call his life his own. To strike out his eye in the heat of passion, to cut out his tongue, to maim him, to cruelly scald him, or deprive him of a member or a limb, was, indeed, an offence. But the sole punishment was a fine of one hundred pounds currency. To kill him outright cost the owner but a little more. Within these limits it was lawful to load him with irons, to confine him for any length of time in a cell, and to beat him and whip him till the blood ran in streams from the wounds and he grew too weak to stand. Old advertisements are still extant in which runaway blacks are described by the scars left upon their bodies by the lash.* When such lashings were not prescribed by the court, they were commonly given under the eye of the overseer, or inflicted by the owner of the negro himself. In the great cities were often to be found men whose business it was to flog slaves. Such an one long lived in Charleston, and, when the beating was not done by contract, charged a shilling for each one whipped.†

While such scenes took place in the South, abolition began in the North. Of all the societies for promoting the abolition of slavery the world has seen, the oldest was that of Pennsylvania. Fourteen years after the founding of the colony the yearly meeting sent a minute to the Society of Friends.‡ Each member was advised not to buy any more negroes, and to be very heedful of the moral and religious training of those he had. But it was not till 1743 that the matter was seriously taken up. Then an annual query was started to find out how many members had really ceased to buy or bring in slaves. Many had done so. More had not. For fifteen years the Meeting waited patiently, and then began to punish all who disobeyed. Slave-buyers were forbidden to sit in the Meetings of Discipline, to take part in the Society's affairs, or to give one penny toward the relief of the destitute and the poor. When the war opened, every one owning a slave over lawful age was about to be cast out. Meanwhile, so many had

* North Carolina Gazette, November 7, 1795, and also January 2, 1796.

† Travels of Four Years, etc. John Davis, p. 90. Rochefoucauld. Travels, etc., vol. i, p. 565. ‡ A protest against slavery was made at Germantown in 1688.

obeyed that, in 1775, there were, in the colony of Pennsylvania, thousands of freed negro slaves. But, to seize upon these, run them off and sell them again into slavery, soon became so common a crime that a few men of heart determined it should stop. A score of gentlemen, therefore, gathered, five days before the battle of Lexington, in the old Sun Tavern at Philadelphia. There they framed a constitution, and organized a body which they named "The Society for the Relief of Free Negroes unlawfully held in Bondage." Four meetings were held. Ere a fifth came, the war opened, and, during nine years, the society did nothing. At last, in 1784, the members once more assembled, and began a long career of activity and use. The cause of the negro for a time was popular. The Methodists took it up and bade every member of the society, where the law would permit, emancipate his slaves within a twelvemonth. Before a decade had gone by, abolition societies sprang up in Rhode Island, in Connecticut, in New Jersey, at New York, at Baltimore, in Virginia, at Washington, Pennsylvania, and even on Maryland's eastern shore. One State became free;* three others provided for a gradual abolition,† two more revised their emancipation statutes, ‡ and Congress passed the ordinance of 1787, which forbade slavery ever existing in the territory of the United States northwest of the river Ohio. In Massachusetts no act of abolition was ever passed. When the revolution ended it became the fashion to consider slavery as at an end, and, for the time and the manner of its extinction, to point to the State Constitution of 1780 and a phrase in the first article of the Declaration of Rights. "All men," says that instrument, "are born free and equal." This the courts afterwards declared meant abolition. The people chose to believe it, and the custom of buying and selling and owning slaves passed slowly away, like the custom of purchasing the time of redemptioners, or binding young lads to a trade.# The same year that the northwestern territory became free soil the Pennsylvania Society took a new name, sent a memorial to the Constitutional Convention on the subject of the

* New Hampshire.

† Pennsylvania, Rhode Island, Connecticut. ‡ Virginia and Maryland.

See Notes on the History of Slavery in Massachusetts. G. H. Moore.

slave-trade, begged the printers at Philadelphia not to advertise the sale of negro slaves, and chose Benjamin Franklin its president. From it, too, came one of the memorials which, in March, 1790, excited southern congressmen and led to the first resolutions of the House of Representatives on slavery and the slave-trade. The wish of the society was defeated. But, toward the close of 1791, the matter was once more urged on the attention of the House.

When the year 1791 opened, the country had become one of peace and plenty. Some murmurs of discontent, indeed, were heard. But the grumblers were, most happily, confined to the States that lay to the south of the Potomac river. In the North and in the East the measures of Government were highly popular. In that section most of the domestic debt was owned. There the war had broken out. There most of the battles had been fought. There the greater part of the army had been maintained, and there, as a consequence, tens of thousands of farmers, tradesmen, and merchants had come into possession of certificates and final settlements. These the energy and skill of Hamilton had turned into interest-bearing stock. In a moment, men who had come to look upon their losses in the good cause as the price of liberty found themselves in the possession of annual sums, which, though small, paid their taxes, and enabled them to buy some new implements for their workshops or their farms. In their good humor over the lucky turn their affairs had taken, politics were forgotten,* a rage for speculation sprang up, and the buying and selling of Government scrip went briskly on. The Funding bill was passed on the fourth of August, 1790. Yet, when the tenth of December was come, fifteen hundred thousand dollars of the debt had been put into the funds in the State of Massachusetts alone. Before the end of the first week in February, 1791, the sum had gone up to two millions and a half.† Indeed, it was noticed with surprise that in a single week no less than four expresses "had passed and repassed with Pegasian swiftness" between Boston, Philadelphia, and New York.‡

* Fisher Ames to Dwight, April 26, 1791.

† New York Journal, February 7, 1791.

‡ New York Journal and Patriotic Register, January 24, 1791.

The effect of this activity was soon apparent. Men who had been wise enough to keep their certificates and settlements locked up in desks and presses, brought them out, exchanged them for shares of the stock, turned speculators, talked of nothing but the funds, and, in their eagerness to know what prices the shares sold for at distant cities, cursed the weather when the rains delayed the posts. Dollars and joes that had for years been lying idle under floors and behind old chimneys were thus thrown into circulation. Money grew easier and easier every day. In a little while even the poorest laborer in the ditches was enabled to gratify his taste for speculation by venturing a few shillings in a part ticket in one of the hundred lotteries for the building of schools, for the erection of bridges and docks, for the repair of churches and roads, for the establishment of foundries and glass-works. Many of the lucky investors acquired fortunes in a few weeks which a life of industrious toil would never have given them.* This emboldened others, and such numbers of small farmers and tradesmen made haste to expend their savings in lotteries that Connecticut and New Hampshire forbade the sale, within their bounds, of tickets issued in other States. The people, it was feared, would be stripped of ready money. A bill to do a like thing in Pennsylvania provoked a long debate. Supporters of the measure declared the lottery system was fast ruining the prosperity of the State. Farmers and artisans, tradesmen and merchants, were neglecting their business to watch the drawings of innumerable wheels. Great sums of money were leaving the State for which nothing came back in return. This was but one phase of the speculative mania that had overspread the whole land. Every day quantities of stock were put up at auction, sold on credit, bought by men not worth a tenth part of the face value of the paper purchased, and, at the expiration of the time of credit, the difference between the price then and on the day of purchase was either paid or received by the buyer. This was a blow to every kind of industry. The New Jersey Manufacturing Company was another

* "Eight thousand seven hundred and fifty dollars have been deposited in the Massachusetts Bank to be paid to the bearer of the ticket No. 6052." American Daily Advertiser, May 11, 1791.

illustration of what the mania for speculation could do. That company had been vested with almost legislative power. The workmen it employed were to pay no taxes and be exempt from duty in the militia. The company were to pay no taxes and raise by lottery ten thousand dollars each year. Could an honest manufacturer compete with such a monopoly? Would it not break down wages, and, with its assured income of ten thousand dollars and no rates to pay, drive every rival from the field? This spirit could not be destroyed. It might be checked, and to stop the sale of lottery-tickets of other States was a good place to begin.* In Massachusetts the Governor urged the General Court to abolish all such means of raising public money. They drew away men from industry, and acted, he said, as an unjust tax, for the poor went into them most largely.† The Governor was right. Men who had once been content to shoe horses and to mend chairs quit the anvil and the bench, and, in open violation of the law, conducted private wheels of their own.‡ Every kind of public improvement was supported by a lottery; and such a rage for building court-houses, laying out roads, digging canals, mending river-banks, as seized upon the country in 1791 and 1792, was not seen again for forty years.

Business likewise began to revive. The packets were too few to carry the bales and hogsheads of freight that were piled at the wharves. The roads were cut to pieces by the long trains of ox-carts and farm-wagons that passed over them laden with produce. The postmasters were overwhelmed by the hundreds of letters that poured in upon them every week. Never had the riders between the great cities made their trips in shorter time.

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* American Daily Advertiser, January 4, 6, and 7, 1792.

† New York Journal, June 8, 1791. Seven months later the same paper contained, in the column of domestic news, the following: "The rage for lottery adventure is expiring, and it is expected the class of the Charlestown Lottery, which will commence drawing as soon as the semi-annual prizes are published, will be the 'last words and dying testament' of lotteries in this commonwealth (Massachusetts)." New York Journal, January 4, 1792.

‡ At New York, on one occasion, a blacksmith named William Thornton was fined £84 14s. for "having opened and set on foot a private lottery." On another, Gabriel Legget, a chair-maker, was fined £500 for the same offence. American Daily Advertiser, May 12, 1791.

Yet their portmanteaus were too small to hold the huge bundles of letters that awaited them at their journey's end. It is impossible to turn over the pages of one of the dingy newspapers of that year without meeting with numberless vigorous complaints from subscribers that copies of the Journal, or the Packet, or the Gazette, had been crowded out of the post-bags by the weight and bulk of the mails.*

But there was still another branch of the public service which bore testimony to the ease of the money market and the flourishing state of business affairs. The custom officers had gathered, in the short space of a year, nineteen hundred thousand dollars. Much larger sums have, in our time, been collected in the port of New York during the business hours of two days. Yet this amount was, in 1791, a very great one, and sufficed to pay two thirds of the annual expenses of the Government. It left, however, a deficit of eight hundred and twenty-six thousand dollars, and, to meet such contingencies in future, the secretary urged the passage of an excise bill and the establishment of a bank.

The proposal of such a bill was, on his part, a bold measure; for, of all the words that make up the English vocabulary, the word excise is, to the ears of the multitude, the most odious. What the tune of Boyne Water is to a Corkonian, that, and more than that, has the sound of excise been to Englishmen and men of English descent from the time of Sir Dudley Carleton down. This Hamilton well knew, and he labored hard to make the plan objectionable to no one. His friends in the Senate were the first to act, and a bill framed in strict accordance with his wishes was soon sent down to the House. But scarcely had the first line been read when Jackson, of Georgia, was on his feet demanding to be heard. He was stopped, called to order, and bidden to sit down till the bill had been read through.† He obeyed, and, when the clerk finished, addressed the House in a fiery, rambling speech.‡ He reviewed

* See, for a few of these complaints, New York Journal and Patriotic Register, February 10 and March 21, 1791. Gazette of the United States, January 5, February 16, March 12, July 16, and November 16, 1791. The Gazette had also some remarks copied from the Maryland Herald.

† Benton's Abridgment of the Debates in Congress.

‡ Fisher Ames to Dwight, January 6, 1791.

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the whole financial policy of the Government. He exclaimed against assumption; he denounced the Funding System, and when at last the subject under debate was reached, declared such a mode of taxation to be odious, unequal, and unjust. It was clearly another blow at the South. Nobody in the East cared what the price of liquor was, for there cider and beer were still left to fall back on. But in the South there were no orchards and no brew-houses. Men drank liquor because it was to them as much a necessity as bread and meat. For this he had the authority of a distinguished writer. Mr. Morse had pronounced grog to be a necessary drink in the South, and would any northern gentleman dispute the sayings of an eastern author and a clergyman? As to the petition of the College of Physicians, lately read in the House, it was all fudge. What business had the doctors to interfere? Why did they not strive to tax out of use a dozen other articles just as poisonous? There were mushrooms: why not pray Congress to stop the sale of catsup because some fools had been poisoned by eating mushrooms? The truth was that the excise was an English custom, and Americans had so fallen into the habit of imitating the English that they too must have an excise. He plainly foresaw the time was at hand when a man could not have even his shirt washed without a tax.

The speech ended, he moved to strike out the first paragraph of the bill. But his language and his manner had so disgusted the House that fourteen members were all who rose with him in the affirmative. So poor a following, had he been a cautious and a cool man, would have kept him thenceforth quiet in his seat. But the next day the excitable Georgian was again upon the floor, as noisy and voluble as ever. He would not, he said, be deterred by the defeat of yesterday. While a monitor spoke within, nothing should hinder him from discharging a plain duty. He was not the first gentleman in the House that had been outvoted by silent majorities, and he consoled himself with the reflection that this silence came from an utter inability to answer his remarks.

The speakers following set forth, undoubtedly, what were the arguments of the politicians and tavern oracles who nightly exposed the horrors of an excise law to knots of attentive

listeners. Gentlemen at the last session of Congress, it was said, had thrust assumption on the country with the assurance that the income of the Government would be amply sufficient to meet all demands. Now they were not ashamed to come forward, declare a great deficiency in the revenue, and ask for more taxes. But did this deficiency really exist? Gentlemen went upon the supposition that every dollar of the State debts had been assumed by the Government. Was this the case? Far from it. Many of the claims against the States had not been, and perhaps never would be, presented. Then why this unseemly haste to gather money for which there was no immediate need? But admitting that there was a pressing demand for every penny of it, did that justify the levying of a most ruinous and mischievous tax? An excise! It ought to be the very last resort of a people driven to the wall and engaged in a final struggle for existence; and were Americans come to this pass? Was there no other means at hand for raising money? It was the fashion to ape Great Britain. Why not, then, do as the British had done, and put a round duty on salaries, pensions, lawyers, suits pending in the courts? Some men seemed to think that, because the people had submitted and without a murmur paid down near two millions of dollars in duties, therefore they were ready to bear any tax. Never was there a greater mistake. The country was in no humor to stand an excise. Half of it was in a ferment already. Had not North Carolina rejected with jeers and loud cries of scorn the proposal to take an oath to support the Constitution of the United States? Had she not refused to suffer continental prisoners to be lodged in her jails? Were not her judges deep in a quarrel with the Federal judges? Was not Georgia excited over the treaty with the Creeks? Had Virginia recovered from her indignation at the Assumption bill? Yet these were the very States in which an excise would be most galling. So great was the consumption of ardent spirits in the South that, were the bill to pass, North Carolina alone would pay ten times as much duty as Connecticut. The man must indeed be dull of comprehension who supposed for a moment that a high-spirited people would support such a burden, and be quiet while an army of harpies scoured the land, prying

into cellars, breaking open barns, rummaging in garrets, and bearing down all before them like a Macedonian phalanx. To talk about such proceedings being popular, to say the people would think they were drinking down the national debt, to assert that an excise would promote morality, showed gross ignorance of the character of free Columbians. It might keep some weak men from getting too deep in their cups, but it would turn thousands of others into cheats, frauds, and smugglers.

With arguments like these the southern members prolonged the debate till the patience of the House was far spent. But at last, on the twenty-seventh of January, 1791, the engrossed bill lay upon the table, and when the Speaker asked, "Shall this bill pass?" thirty-five members stood up in the affirmative and twenty-one in the negative.

Meanwhile a bill for chartering the Bank of the United States had come down from the Senate. The charter had passed in that body with scarce a dissenting voice, had been ordered to a third reading in the House, and the question of its passage put, when Smith, of South Carolina, sounded the alarm. Jackson supported him, the bill was quickly recommitted, and a warm debate opened. Smith made his motion on the first of February. But not till the eighth of the month were the ayes and nays taken for the last time.

The plan which excited so much opposition provided that a number of subscribers should be incorporated into a bank, to be known as the Bank of the United States. The capital was to be ten million dollars; the number of shares twenty-five thousand; the par value of each share four hundred dollars. The Government was to become a subscriber to the amount of two millions, and to require in return a loan of an equal sum, payable in ten yearly instalments of two hundred thousand dollars each. The rest of the capital stock was to be open to the public, and to be paid for, one quarter in gold and silver and three quarters in the six or three per cent certificates of the national debt. The life of the Bank was to end in 1811, and, that capitalists might be induced to subscribe promptly, a pledge was given that for twenty years to come Congress would incorporate no other.

Two kinds of arguments were urged by the men whom interest or blind prejudice moved to stand out against the bill. Some declared it to be unconstitutional. Some asserted that a bank was of no use. That such an objection should have been made and urged with force seems at first thought strange, for it is hard to believe that the gigantic system of banking which is now the mainstay of business and the prop of every enterprise is not yet ninety years old, and that when the revolution opened nothing of the kind was known in the country. The number of such institutions is at present more than seven thousand four hundred. Their capital exceeds seven hundred and seventy millions of dollars. Their deposits are far above twenty-nine hundred millions; their notes are freely taken in every city of the Union.* In 1791, in most of the States, a bank-bill had never been seen. Beyond the mountains, in the districts of Kentucky and of Tennessee, military warrants and guard certificates, horses and cows, oxen, cow-bells, and acres of land, constituted the money with which the people paid their debts and in which they expressed their wealth.† In western Pennsylvania whiskey was the circulating medium. In the South every merchant and planter so fortunate as to have coin kept it securely locked in strong-boxes in his own home, and, when a note was brought, told down the joes and Spanish dollars with his own hand.

In truth, but four great cities in the country could boast of a bank. The oldest and most opulent of them all was the work of Robert Morris, was at Philadelphia, was known as the Bank of North America, and had not yet completed its tenth year. For three years no rival appeared; but in 1784 two sprang up almost simultaneously. The first in point of time was the Massachusetts Bank at Boston, which began business on a capital that would not now suffice to purchase one of the many magnificent buildings in which a host of clerks and book-keepers transact the business of its competitors. Four months later some New York merchants obtained a charter from their Legislature amidst a pamphlet war as furious

* In 1883 the national banks numbered 2,308; savings banks, 667; private bankers, etc., 4,473. See the Report of the Comptroller of the Currency for 1883.

† Putnam's History of Middle Tennessee.

as that between the imposters and the non-imposters, opened the doors of their institution, and the Bank of New York began to receive deposits and make loans. The Maryland Bank at Baltimore came next; but the year was drawing to a close before a single depositor came to its counter, and its name does not, therefore, appear in that famous paper which Hamilton drew up and submitted to the President on the subject of the proposed bank.*

The Antifederalists, therefore, who declared such a corporation would be of no use, and that not one of its notes would ever find its way to Georgia or New Hampshire, said no more than many of their hearers believed. In the four opulent towns where banks existed, five men out of ten had nothing to put in them. Of those who had, some were deterred from making deposits by the recollection that their fathers had never done so before them, others by the strong antipathy which they felt for banks in general. The old way, they said, of doing business was good enough. If a man were prosperous and had cash to spare, the best place to keep it was in his own house under his own lock and key. If he were in a pinch, there were always a dozen merchants who would, on proper security, endorse his bills or loan him money at a low rate of interest; but let banks be set up, and all such transactions would, in a little while, be over their counters. Merchants would be deprived of the lawful gains of lending; embarrassed tradesmen would be ground down by extortionate discounts. It was only necessary to look at New York or Philadelphia to see this fully exemplified. In those cities the banks were fast growing rich on the money wrung from debtors. They were moneyed monopolies; they were aristocratic institutions; they encouraged usury; they took coin out of circulation; they set up false credits; they unsettled all the safeguards of trade. Men who under the colonial way of buying would have had

* The Bank of North America was chartered on December 31, 1781, and the Massachusetts Bank on February 7, 1784. The Bank of New York commenced business June 9, 1784. The Maryland Bank was chartered in November, 1790, and started with two thirds of its capital paid in 1791. The capital of the four sums up to $1,950,000. For the discussion over the New York Bank, see New York Packets for 1784. Traditions of other banks existing at a much earlier period have come down to us. But they were loan offices, and in no sense banks.

no standing in the mercantile community now figured as great merchants (thanks to the fictitious credit the banks enabled them to keep up), deceived honest people, and, when they went to pieces, caused great distress. The duty of a good government was to destroy, not to charter monopolies.

It was useless to tell men who talked in this way that the proposed Bank could do none of these objectionable things; that it could not hold an acre of ground above what was needed for its own use, except the land came as a judgment, or to satisfy a mortgage; that it could not own a bushel of grain or a bale of goods except as security for a loan, nor buy a single bond of the United States; and that, as seven and a half millions of dollars in certificates were to be exchanged for bills, money would be thrown into circulation, not taken out. They invariably sought refuge in the assertion that a charter would be unconstitutional. The Constitution, said the very grumblers who three years before denounced it most bitterly, gives no direct authority to Congress to create banks, and where authority is not directly expressed, it is implicitly withheld. They were told that Congress was every day doing a dozen things for which no authority was to be found in the Constitution. Where were the articles empowering that body to buy up the national debt in the market, to redeem captives in Algiers, or to give a salary to the Vice-President? Yet were any of these acts thought to be unlawful? The Antifederalists answered that these were not parallel cases, that the Bank bill infringed the rights of States, that it authorized the subscribers to buy and hold lands in the cities, and that such power could be granted by the States alone. This, the supporters of the measure responded, was absurd, and made the debate lose all solemnity. Near every great town was some spot over which the State had no control. Wherever there was an arsenal, wherever there was a light-house, wherever there was a Government wharf, or an acre of public land, there was the will of Congress supreme. What, then, hindered national banks from being established at Reedy Island, at Conococheague, or among the shells and sea-weed of Sandy Hook? Such places, it was indeed true, were not suitable, but they proved beyond a doubt that Congress could lawfully grant a charter, though the

Constitution did not declare the right in so many words. Then their opponents took refuge in the Federalist, and shrewdly defended their arguments with garbled sentences drawn from those numbers believed to be by the hand of Hamilton.

The plan, however, was much liked, and passed the House by a handsome majority, on a vote which, like many of the votes of that session and of sessions yet to come, was greatly affected by the line that Mason and Dixon ran out twenty-eight years before. Of the thirty-five members who came from the North, but one, on that day, voted against the Bank. Five of the twenty-four southerners supported the bill, and among them was John Sevier.

After three years of as strange vicissitudes as ever fall to the lot of heroes in novels and plays, the fortune of Sevier was once more prospering. On the summer day in 1788, when he came back from his campaign against the Indians, the plight of no man in all the Tennessee district seemed more desperate. His government was gone. He had by name been cut off from the benefit of the Act of Pardon and Oblivion. He had been declared a traitor, and a warrant for his arrest was out. To find a judge hard-hearted enough to issue the warrant was difficult; for, whatever opinion lawyers and magistrates over the mountains might hold of his conduct, it was in Tennessee thought to be manly and just. No frontiersman, unless a boon companion of Tipton, ever called Sevier by any other name than Nollichucky Jack, or spoke of him as other than a man who had rendered important services to the State; who, in a great crisis, had brought order out of confusion, had set up a vigorous government, had administered a strict justice, and, by promptness and decision, saved the district from the horrors of an Indian war.

For a long time, therefore, Sevier continued to show himself in the settlements, and ventured to appear at Jonesboro during a muster of the militia. Even then all might have gone well had he not quarrelled with an old enemy, who, with the aid of Tipton and his band, seized him by night, dragged him to Morganton, and threw him into jail. At Morganton, in broad daylight, in the midst of a crowded court-room, he was rescued by a friend, was sent the next year to the Senate of

North Carolina, presented himself at the capitol, took his seat, procured an act of pardon, and, in 1790, was elected to Congress.

It is said that in the throng that stood in the log court-house at Morganton on the day of the rescue was a young lad whose intrepidity, whose energy, whose fiery temper and intense love of right, made him in after-years the most remarkable man the Republic had yet produced. His parents were Protestant Irish, came over from Carrickfergus in 1765, and made a clearing and built a cabin at Twelve Mile Creek, a branch of the river Catawba, whose valley has since become renowned for its wine-producing grapes. Waxhaw, the nearest settlement, lay partly in North and partly in South Carolina, and some doubt therefore exists as to which was his native State. To the end of his life, Andrew Jackson seems to have believed it was South Carolina. But his biographers have corrected his error, and decided that it was not. However this may be, Jackson grew up to manhood at Waxhaw, and carried through life a deep scar on his hand and another on his head as evidence of the brutality of Tarleton's men. For a time he was a saddler's boy. Then he became a law student; and at twenty-one was on his way over the mountains to act as public prosecutor for the district of Tennessee. For three years he spent his time suing debtors and fighting Indians around Nashville. Before he was twenty-five, two thirds of the law business of western Tennessee was in his hands.

The settlements from which Jackson drew most of his practice lay scattered along the bluffs of the Cumberland river for a distance of eighty miles. Some few cabins, it is true, were to be found huddled together, as far back from the water of the river as twelve miles. But they stood in the midst of an almost unbroken wilderness, and the people dwelling in them lived in never-ending dread of the bullets and arrows of the savages. The dense forests of hardwood trees, the matted underbrush, the tall cane that covered the face of the earth for miles and miles in every direction, turned the whole country into a lurking-place and ambush for the most crafty and implacable of foes. No man dared to fell a tree, to plant an acre of corn, to pick a berry from a bush, to go to the nearest spring

for water, or even to sit in the shade of his own cabin, but his gun and his powder-horn were ready beside him. During fourteen years the death-rate was as high as one human being in every ten days. In 1787 thirty-three men were killed by Indians within seven miles of Nashville.

The hamlet which in 1791 bore the name of Nashville was twelve years old. Seventy-seven years before, Charlville, the first white man known to have set foot upon the soil, came hunting and trapping through the country with a band of Frenchmen. They were much taken by the spot, settled on it, and put up a few rude huts hard by the ruins of a deserted Shawnee fort. But the Frenchmen in time departed as the Indians had before them, and when, in 1779, James Robertson came up the Cumberland with a party of pioneers, a few heaps of rotting logs were all they saw of Charlville's huts. Close to these they camped, and the following spring were joined by their families and friends, and the settlement of Nashville began.*

When Jackson first beheld the town in 1788 it consisted of a court-house, a jail, and upward of eighty cabins of the rudest kind. The floors of these habitations were made of puncheons; the roofs were clapboarded; the sides were of rough-hewn logs and chinked. The windows, closed with thick shutters, were without glass. Only the more pretentious houses, those whose dimensions exceeded twenty feet on a side, whose rooms numbered more than two, had doors hung on hinges which the blacksmith had beaten out of the tires of a broken-down wagon or the cast-off shoes of a horse. Bedsteads were rarely seen, for few settlers had more than one room, in which the whole family lived, ate, and at night lay down to sleep on piles of skins, to find in the morning that snakes and insects had shared with them the warmth of the bed.† Nashville was indeed an

* "Notice is hereby given that the new road from Campbell's Station to Nashville was opened on the twenty-fifth of September, and the guard attended at that time to escort such persons as were ready to proceed to Nashville, . . . and that on the first day of October next the guard will attend at the same place for the same purpose." North Carolina State Gazette, November 28, 1788.

† Francis Baily, an astronomer of some note, and the founder of the Royal Astronomical Society, has left a pleasing account of a journey through Tennessee, etc. See Journal of a Tour in the Unsettled Parts of the United States of North

outpost of civilization. Not a house was to be met with between it and Natchez. To reach Knoxville, the first town of any size to the eastward, was a fifteen days' journey over the mountains and across a country so infested with Indians that immigrants dared not traverse it without a guard. North of Nashville the country was trackless to the Kentucky border.

Kentucky was soon to become a State. After seven years of murmuring and petitioning, the prayers of the people to be separated from Virginia were heard. But not till four acts of session had been passed by Virginia, and nine conventions held by the people of Kentucky, did the bill pass both Houses of Congress and receive the assent of the President. Fourteen days later (February twenty-eighth, 1791) a like privilege was given to Vermont. The admission of Kentucky into the Union was put off till the first of June, 1792. But Vermont became a State immediately after Congress rose, and Congress rose on the third of March.

Meanwhile the progress of the Bank bill was watched with great anxiety. After passing the House it had been sent to the President with all possible speed. But Washington withheld his signature till the ten days allowed by law were all but spent. His determination had been much shaken by the arguments advanced in the debate in the House, and by the reasonings which from time to time had come out in the gazettes. Some assured him that the measure was wholly unconstitutional from beginning to end, and that he would do well to have a care how he wantonly violated a constitution he had done so much to make a success. Others told him that, even if setting up a bank were constitutional, it was still impolitic. A moneyed class, a few of the holders of certificates, would be given benefits and privileges that could not be enjoyed by all. A small aristocracy of wealth would be created, and bring down upon the Government the heavy hatred of the great mass of the people for whose good the Constitution had been framed, and to whom in time of trouble it must look for support. The Bank, moreover, would defeat a very important purpose of Congress. That body had decreed that after the

America in 1796 and 1797. By the late Francis Baily, F. R. S., President of the R. A. S. London, 1851.

year 1800 the seat of Government should be somewhere on the Potomac river. But let the Bank law go into effect, and Philadelphia would at once become the centre of all the stock-jobbing and speculating operations of the land; numberless interests, then quite unknown, would spring up, and, after ten years had gone by, Congress would be found fast anchored and immovable on the very spot where it then was.

Each of these arguments had much weight with the President, and, in his doubt what to do, he turned to Randolph and Jefferson for advice. They begged him not to sign.

That Randolph should have done so was natural, for he was a man of no decision of character, and a most consummate master of the art of splitting hairs. So fertile was his mind in distinctions of useless nicety, objections and objections to objections, that, no matter which side of a question he set out to argue, he was almost always certain to bring up on the other. He had first come into public notice as a member of what was called Washington's military family, had risen to be Governor of Virginia, had sat in the Federal Convention, and had thence climbed to the high place from which a few years later he was driven overwhelmed with disgrace. His conduct in the Convention well shows the character of his mind. He brought in the Virginia Plan, urged it strongly, and saw it adopted by the committee. But from that moment he began to see objections, opposed the Constitution bitterly, refused to sign it, went home, changed, became a warm Federalist, and gladly took office under the instrument he once thought too bad to subscribe. But hard as it was for Randolph to come to a decision, and stand by it, the Bank bill gave him little trouble. His natural bias led him to find faults in it, and to these he was kept firm by his cousin, the Secretary of State.

Much of Jefferson's dislike to the bill may undoubtedly have been sincere. But by far the larger part sprang from intense hatred of Hamilton. He could not bear to see the greatest place in the Cabinet filled by any but himself. It fretted him to think that while Knox was busy with the petty affairs of a regiment of troops, that while he himself spent hours of every day in exchanging notes with the French minister, or writing chiding letters to Carmichael or Short, or listening

to the claims of rival inventors, Hamilton was perfecting a financial policy that drew upon him the eyes of the whole continent. The Revenue bill, the Assumption Act, the Funding System, were fast bringing the country to a state of prosperity which seemed marvellous. The men who two years before beheld the national debt steadily growing larger and larger, saw with delight great sums of it bought and cancelled every few months by the Government. All over the land mills and factories were going up, and such a demand was made for money that the price of it was already one per cent a month. Yet the sight of this business activity excited in the breast of Jefferson, the stern patriot, only malignant hatred for the man to whose fertile brain and untiring labor it was due. When, therefore, Washington sought advice of the Secretary of State, Jefferson drew up a paper in which he attacked the Bank bill with bitterness. This reply, and that of Randolph, were sent to Hamilton. But they soon came back to the President with such an able refutation that he signed the bill and it became a law.

Not a moment was lost in putting the Bank into operation. The announcement was made that, on the morning of July fourth, 1791, the books would be opened for subscriptions at Philadelphia. Every one who on that day entered his name for a share was to be required to pay twenty-five dollars down; twenty-five dollars in specie and one hundred and fifty in public securities on the first of January, 1792; twenty-five dollars in specie and seventy-five in securities on the first of July, 1792, and the same sum of each on the first of January, 1793. Five thousand shares were taken by the Government; twenty thousand were offered to the people. The most sanguine Federalist had never doubted that several weeks would pass before so great a number of shares would find their way to private hands. But the sun was scarce up on the morning of Monday, the fourth of July, when the street in front of Carpenter's Hall was filled with a crowd of merchants and speculators, laughing and jesting, and exchanging snuff.* The doors had not been open fifteen minutes when those who could get within hearing had offered subscriptions for twenty-four

* Pennsylvania Gazette, July 6, 1791.

thousand shares.* This was four thousand more than could, by law, be taken. The commissioners were amazed and delighted, closed the books, and instantly adjourned, that they might consider what to do with the extra subscriptions.† Only a few payments were made, and the gentleman who was so fortunate as to have put down the first twenty-five dollars received fifty for his receipt before quitting the building. ‡ Early the next day a meeting of the subscribers was held, and the conclusion reached that it was no more than just that each should suffer a *pro rata* deduction from his subscription—that every man who made a bid might get some stock.#

But this amicable arrangement was far from satisfying the unfortunate ones who stood in the outskirts of the crowd or lived in distant cities. They went into a rage, and denounced the Bank as a job. Certificates, it was said, sent by gentlemen at New York for eight hundred shares, and by gentlemen at Boston for a yet larger number, had been excluded; but not a single refusal had been given to a Philadelphian. The Bank, therefore, was clearly to be carried on for the good of Philadelphia. ‖ Nor were the grumblers silenced when it appeared that more than half the bank scrip, as it was called, was owned in Massachusetts ^ and New York. Not a dollar was subscribed at Baltimore, and very few in North Carolina or Virginia. ◊ Late in May a meeting was held at Charleston, and resolutions passed to purchase some of the shares. For a week a paper was carried about the city, the citizens urged to be

* The newspapers of the time state that the bank was filled in fifteen minutes. American Daily Advertiser, July 8, 1791. Jefferson says in less than an hour. Jefferson to Monroe, July 10, 1791. Washington to Humphreys, July 20, 1791, and to G. Morris, July 28, 1791.

† See the account in the Pennsylvania Gazette, July 6, 1791.

‡ American Daily Advertiser, July 12, 1791.

American Daily Advertiser, July 7, 1791. The bank opened its doors for deposits December 12, 1791. Ibid., December 19, 1791.

‖ Madison to Jefferson, July 13, 1791.

^ Late in March the subscriptions to the Bank of the United States summed up in Massachusetts to $\$3{,}534{,}731\frac{6}{100}$. American Daily Advertiser, August 23, 1791. An attempt was made to have the State subscribe to four hundred shares, but the vote stood: ayes, 35; nays, 112. See Herald of Freedom, June 13, 1791; American Daily Advertiser, June 27 and 28, 1791.

◊ Jefferson to Monroe, July 10, 1791.

prompt, and told that, unless the deposit was paid in Philadelphia on the first of July, they would surely be "left out," so great was the eagerness to subscribe at the North.* Yet little of the scrip went to Charleston. That this should have been so is not strange. It is in part to be ascribed to the distances these cities were from Philadelphia, and in part to the thorough search the speculators had made for certificates in every village and hamlet of the South. But, when all due allowance has been made, the significant fact still remains that in 1791 the wealth of the Republic was in the North.

And now that the Bank, as the phrase went, had filled, the price of its stock began to rise. Before the close of July a wild desire to speculate in the scrip broke out at Philadelphia and New York. Men of all ranks † made haste to buy it, and, if they had not the money at hand, borrowed and gladly paid, some two and a half per cent a month, and some one per cent a week. ‡ For the whole summer scarce anything else was bought or sold or talked of. The stock-jobbers, it was said, were the only men having anything to do, and if a man had not stock he might as well shut himself up in his cellar.# Tradesmen complained that their shops were deserted; merchants that their bales lay unopened in their warehouses. Even busy men asserted that they could not snatch a moment from their labors and sit down in the coffee-house to read the gazettes but the eternal buzz of the gamblers drove them out. ‖

By the first of August the scrip had gone well above par. On the second, a New York house which dealt largely in stocks sold two hundred shares at one hundred dollars premium; and it was noticed that on the same day the Bank of

* American Daily Advertiser, June 24, 1791.

† "Of all the shameful circumstances of this business, it is among the greatest to see members of the Legislature, who were most active in pushing this job, openly grasping its emoluments." Madison to Jefferson, July 10, 1791.

‡ Madison to Jefferson, New York, August 4, 1791.

American Daily Advertiser, August 29, 1791.

‖ "In fact, stock-jobbing drowns every other subject. The coffee-house is in an eternal buzz with the gamblers." Madison to Jefferson, New York, July 10, 1791. "The land office, the Federal town, certain schemes of manufacture are likely to be converted into aliment for that rage (speculation)." Jefferson to Monroe, July 10, 1791.

the State of New York was filled in five minutes.* A week later two hundred and eighty dollars was asked and paid down for shares at New York.† The next day, August 11th, they fell to two hundred and five,‡ but twenty-four hours later rose again to two hundred and twenty.# News had come in that far higher prices were being freely paid at Philadelphia. Indeed, on the eleventh of August, while the scrip was bringing but two hundred and five at New York, it was selling for three hundred and twenty at Philadelphia. The excitement became intense. On the morning of the twelfth the coffee-houses were filled with men eager to sell, and, as a natural consequence,‖ the men who in the morning sold at three hundred bought back before sundown at one hundred.

The rage of those who a few hours before had fancied themselves the owners of fortunes was great. In their fury the losers railed at the Government,^ and reviled their luck and the men who in an evil hour had sold them the stock. The Bank was, they said, a vile South Sea dream ; Law's Mississippi scheme was pure and honest compared with it. Duer and Constable and some other treasury agents had sent up the balloon, while a combination of knowing ones at New York had, by fictitious purchases, maintained the price of stock and deceived the credulous and the ignorant.◊ It was all the work of the certificate men, the tools of the ministry, the aristocrats, the conspirators against liberty, the workers of that "aristocratical engine" which was to squirt money into the pockets of the people as plentifully as dirt.‡ But the public gave them small comfort, and the press made merry with them. When they denounced speculation they were laughed at as sufferers of the prevailing distempers, scripomania and scripophobia.‡

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* New York Journal, August 3, 1791. † Ibid., August 13, 1791.

‡ Ibid. # Ibid. ‖ Federal Gazette, August 12, 1791.

^ Two years later, in a virulent Democratic pamphlet, it is asserted that "a faction of monarchic speculators seized upon its legislative function in the commencement, and have directed all its operations since." See An Examination of the Late Proceedings in Congress respecting the Official Conduct of the Secretary of the Treasury, 1793. ◊ Hamilton to Duer, August 17, 1791.

‡ New York Journal, August 10, 1791.

‡ Ibid. See, also, some complaints in New York Daily Advertiser, August 17 1791.

The symptoms of the diseases were declared to be a long face, a pale complexion, deep silence, a light purse, and a heavy heart.* The misery of those afflicted became the subject of numberless poems and squibs.† When they charged their ill-fortune on the members of the Government, they were told they dealt in generalities. Come down, it was said, to facts. Specify some one, not members of the Government. Speculation and jobbery charged in the lump are as vague as witchcraft and heresy.

Little buying and selling of scrip seems to have gone on outside of the coffee-houses of Boston, Philadelphia, and New York. Yet the enemies of the Bank were everywhere, in the East, in the far South, and among the whiskey-stills, which, more plentiful than grain-mills in New England, studded the shores of the Monongahela and the Ohio; but to the still-owner this was only one of many mischievous institutions of Government of which the excise was chief. It is quite safe to assert that in no other part of the United States could so many stills be found, could so much whiskey be made and consumed, as in the four western counties of Pennsylvania. Nowhere else in the United States was the duty, therefore, so hateful. The law went into operation on the first of July, and on the day before officers were busy in all the large cities branding tuns, puncheons, and pipes with the words "Old

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* Aurora or General Advertiser, August 16, 1791.

† The Glass; or, Speculation. A poem containing an account of the ancient and genius of the modern speculators. New York, 1791. For some remarks on the mania, see The Prompter, p. 11; a poem called McScrip-Crack, in Aurora, August 26, 27, 1791; Columbian Magazine, August, 1791; Independent Gazetteer, August 2, 1791. New York Journals, August 13 and September 14, 1791.

At New York scrip on which twenty-five dollars had been paid sold for cash on

August 10, at 280.	August 13, at 206 to 212.
" 11, " 205.	" 16, " 160 " 172.
" 12, " 220.	" 26, " 199·5 " 200·5.

At Philadelphia, August 12, 141–161; August 14, 307–312. On forty-five days' credit, 315.

At Philadelphia, one hundred and fifty dollars were often paid by single speculators to an express who, leaving New York on the evening of one day with the closing price of stocks, would be in Philadelphia early on the morning of the next day. In the Rush manuscripts some of the tricks of the speculators are mentioned.

Stock." * But in the whiskey region no one could be found to do such work. The resolutions of North Carolina, Virginia, and Maryland against the excise, and, above all, the shameful debates and resolutions of Pennsylvania, had made the distillers bold. They began by dissuading men from taking office under the inspector. They next formed associations of those who, in the language of the district, were ready to "forbear" entering their stills. They ended by working themselves into a fury and calling a meeting of distillers for the twenty-seventh of July at Redstone Old Fort, a town on which the inhabitants have since bestowed the humbler name of Brownsville. From this gathering went out a call for two conventions. One was to meet on the twenty-third of August at Washington, in Pennsylvania. The date chosen for the meeting of the second was September seventh, and the place Pittsburg. Both were held. That at Washington denounced the law, and called on all good people to treat every man taking office under it with contempt, and withhold from him all comfort, aid, and support.† That at Pittsburg complained bitterly of the salaries of the Federal officers, of the rate of interest on the national debt, of the Funding System, of the Bank, and of the tax on whiskey.‡

Meantime the collector for the counties of Washington and Alleghany was set upon. On the day before the Pittsburg meeting a party of armed men waylaid him at a lonely spot on Pigeon Creek, stripped, tarred, and feathered him, cut off his hair, and took away his horse.# They were disguised, yet he recognized three of the band, and swore out warrants against them in the District Court at Philadelphia. These were sent to the marshal; but the marshal was a prudent man, and gave them to his deputy who, early in October, went down into Alleghany to serve them. He hid his errand, and, as he rode along, beheld such signs of the angry mood of the people, and heard such threats, that he came back with the writs in

* New York Journal, July 2, 1791. American Daily Advertiser, July 6, 1791.

† Brackenridge's Incidents of the Insurrection, iii, p. 17.

‡ American Daily Advertiser, September 30, 1791.

Findley's History of the Insurrection in the Four Western Counties of Pennsylvania in the Year 1794, ed. 1796, p. 58.

his pocket, unserved. And now he determined to send them under cover of private letters, and selected for the bearer a poor, half-witted cow-driver. The messenger knew not what he bore; but when the people found out that he was delivering writs, he was seized, robbed of his horse and money, whipped till he could scarcely stand, tarred, feathered, blindfolded, and tied to a tree in the woods. Yet more atrocious was their treatment of an unfortunate man named Wilson. He had long been known in the region as a person of disordered mind, and he now, under the excitement of the time, became insane. He fancied himself an inspector, went about among the stills and warehouses, and told openly that he was collecting information for the Government. To those whose minds were not as dark as that of Wilson, the dress, the behavior, the babble of the poor fool would have marked him out as an object of pity. Not so the mob. Led away by passion and whiskey, they went one night to the house where he lay, dragged him from his bed, carried him to the nearest smithy, burned his clothing, branded, tarred, feathered, and turned him loose. During his punishment the wretched man displayed the heroic fortitude of one who thinks himself a martyr in a great cause. When his tormentors had finished he was, says one who saw him, "a sight to make human nature shudder." A few days later another named Roseberry was visited. He had been overheard to say in conversation that the "whiskey boys" had no right to expect protection from a government whose laws they set at naught. Two who were witnesses in the case of Wilson were then carried off, and with this the violence of the rioters ceased.

It was some time before full reports of these proceedings reached Philadelphia, and, while they were yet fresh in the public mind, news of a still more alarming kind came from Ohio. An officer in full uniform was seen one afternoon to gallop through the streets of the city, draw up at the President's door, throw his bridle to an orderly, and hastily ascend the steps. The President, he was told, was at dinner and could not see him. But he insisted so firmly that the servant took his message to Mr. Lear, who then acted as private secretary to Washington. The secretary came out, was told by the officer

that the letters could be delivered to none but the President, went back and whispered his message in the President's ear. But none of the company who looked on the placid and motionless face of Washington, as he again took his seat among them, saw any sign of the passion that raged within. Not till the meal was ended, and the last guest had departed, did he give way to his feelings and burst forth into a storm of reproaches. For a while Mr. Lear was at a loss to know what to make of it; nor did he learn, till the fury had spent itself, that General St. Clair had been beaten and put to flight by the savages in the West.*

The purpose of St. Clair's expedition was to overawe the Indians by building a chain of forts from Cincinnati to the junction of St. Joseph and St. Mary rivers. The burning and scalping that had begun all along the Ohio on the fatal day when the troops of Harmar fled in dismay before the savages had been checked by two expeditions sent out from Kentucky. St. Clair, therefore, spent the spring and summer in slowly collecting troops and arms, and late in September marched from Ludlow station with two thousand three hundred regular troops, and a host of militia. His first stop was at the Great Miami, and there, on the high benches which border the river, he made a clearing and put up Fort Hamilton.† This done, he pushed on forty-four miles farther, and on the twenty-fourth of October finished Fort Jefferson. And now his troubles began. His health, for he had long been ailing, gave way, and, as the troops toiled slowly on, he was often compelled to lie down upon a litter. Food grew scarce, and the way became so bad that seven miles was a day's march. The regulars murmured. Every sunrise found the ranks of the militia diminished by scores. ‡ Hundreds more were alternately burning with fever and shaking with chills. At last, on the third of November, the army, hungry, tired, sick, and wasted to fourteen hundred men, reached a small stream scarce fifty feet wide, and there

* Washington in Domestic Life, by R. Rush; and Recollections and Private Memoirs, by G. W. P. Custis, pp. 416–419.

† St. Clair's Narrative of his Campaign, Philadelphia, 1812, pp. 14, 15.

‡ St. Clair says they deserted sixty at a time. See his journal, American State Papers, v, 136, 137.

camped. St. Clair believed it to be the St. Mary, a feeder of the Maumee. It was a branch of the Wabash river. On the bank of this creek the regulars were camped in two lines. Across the creek, and a quarter of a mile away, lay the militia, and a mile beyond them, in the dense brush, a little band of volunteer regulars commanded by a captain named Slough. His duty was to scour the woods for Indians. But the night had scarcely set in when he saw so many moving toward the tents that he led back his troops and made all haste to report to a general officer, was thanked for his vigilance, and bidden to go and rest. No more was seen of the enemy till the first streaks of dawn appeared in the sky. Then a heavy musketry-firing was heard in the direction of the camp of the militia, and, a few minutes later, such of them as had escaped with life rushed through the brook and into the camp of the regulars, with the Indians close in their rear. A sharp fire from a handful of troops that were in line checked the Indians, and they fled to cover. And now each party fought after its own fashion. A brave crouched in every bush, or stood behind every tree. The soldiers, with a strict adherence to the rules laid down in the manuals, were drawn up in a compact body, with the artillery in the centre. The result was inevitable. Officer after officer was shot down. Again and again men went to the guns only to add fresh corpses to the heaps that lay around the carriages. Several bayonet charges were made with great spirit, to dislodge the Indians. But the instant the troops wheeled about, the foe in turn became pursuers, chased them into camp, poured in a fire more galling than ever, and with great deliberation scalped the soldiers who fell. After the fight had gone on for four hours it became evident to all that victory was with the Indians. Five officers of high rank lay dead and scalped. Five more could scarce stand up from wounds. Of the soldiers, not six hundred remained unhurt, and these, surrounded on every side, were cut off from the road, their only hope of retreat.* St. Clair determined to gain this at all costs and flee. No attempt was made to save

* An account of the battle may be read in American State Papers, vol. v, in American Daily Advertiser, December 13, 1791, and in a very graphic narrative by Benjamin Van Cleve.

anything but life. Leaving the guns in position, the clothing and the blankets in the tents, and the half-cooked breakfast in the camp-kettles, the regulars made a final charge, gained the road, and, while the militia, pale with fear, rushed wildly along it, covered the retreat. Nothing could stay them. Every man dropped his musket, pulled off his heavy boots, threw away his hat and coat, and, deaf to the cries of the weak and wounded, ran with all his might.* So great was their speed that the twenty-nine miles it had taken ten days to march were passed over during the short sunlight of a November day. Before six that night the army was once more at Fort Jefferson.

The Indians pursued four miles, and then went back to perpetrate the most shocking cruelties on the wounded. The men they tore limb from limb. Through the bodies of the few women who had followed the troops they drove huge stakes. Never has there been such a crushing Indian victory. Of fourteen hundred men and eighty-six officers who went into the battle, but five hundred and ten men and seventy officers came out unscathed. The Indians did not number more than a thousand, but they fought with the courage of desperation, and were animated by the presence of the greatest of all chiefs. It was long supposed that the leader of the tribes on that terrible day was Little Turtle, a noted chief of the Miamis. But it is now known that they were led to the fight by Thayendanegea, whom the English called Joseph Brant. Many have supposed him to have been a half-breed; some have thought, the son of Sir William Johnson. There can be little doubt, however, that he was a Mohawk, and that his mother bore him on the banks of the Ohio river. His boyhood and youth he passed with the Onondagas at Canajoharie, rose to distinction among them, and was made secretary to Sir Guy Johnson while General Superintendent of the Indians. At the outbreak of the war the English won him to the side of the Crown, induced him to take up the hatchet, and to go upon those campaigns in which the massacres of Wyoming and the Minisink are the darkest and most terrible episodes. In the defeat of St. Clair one more was added to the already long

* See a letter from Captain Buntin to General St. Clair. Dillon's History of Indiana, ed. 1843, vol. i, p. 308. Cist's Cincinnati Miscellany, vol. ii, p. 30.

list of victories with which the name of Joseph Brant is joined.

As the news spread eastward a cry of terror went up from the whole western country. The citizens of Pittsburg reminded the Governor of Pennsylvania that Fort Pitt had been stripped of guns, troops, and powder; that they were unable to defend themselves; and that, if they fell a prey to the Indians, every town and hamlet in the valley would go with them. The people of western Pennsylvania begged hard for eight hundred men, well armed, well officered, and well paid. A like appeal came from western Virginia.

Meanwhile every one was busy seeking where to lay the blame. The Antifederal sheets declared the disaster was due to the Bank and the Funding bill. It was a wise maxim that money easily got was as easily spent. Had not the Government found a ready way to tap the purses of the people, thousands of dollars would not have been squandered in a wicked attempt to rob the Indians of their liberty and their lands. The people put the blame on St. Clair, and, as he passed through the villages on his return home, came in crowds to hiss him and taunt him with jeers. The Secretary of War thought the defeat was to be ascribed to the rawness of the troops. The committee of the House of Representatives laid it to the lateness of the season and the negligence of Hodgdon, the quartermaster, and the dishonesty of William Duer, the contractor for army supplies. But there were those who thought the month of November and a lazy officer had nothing to do with an Indian surprise.

The Houses met on the twenty-fourth of October, 1791, and opened the first session of the second Congress. Many of the old members had been returned. But death and political intrigue had been busy among them, and some new faces were seen in the halls. To the House of Representatives came Artemas Ward, a revolutionary general and a judge; William Findley, the most bitter and acrimonious of all Antifederalists, and General Anthony Wayne. Wayne was from Georgia in place of James Jackson, whose rants had so often disturbed the House for two sessions. But Jackson protested against the return, declared that fraud had been used at the

election, and made out so strong a case that, before the day of adjournment, Wayne was unanimously unseated. An attempt was made to bestow it on Jackson; but the motion was lost by the casting vote of Trumbull, who sat in the chair as Speaker.

In the Senate, Johnson was gone and Elias Boudinot, and, as their successors, were Roger Sherman and George Cabot, a Boston merchant of wealth. New York sent one whom neither illustrious descent, nor physical courage, nor high breeding, nor eloquence, nor public renown, nor a mind singularly vigorous and acute, could save from a long life of ignominy and shame.

At the time, however, when Aaron Burr became a Senator, his career was yet before him. All who knew him still thought him a young man of great promise. Save Hamilton, no one had at so early an age risen to so high a place. Long afterward, when hated and despised, it became the custom to ascribe this early success to the influence of his family and the power of his name. Had not his grandfather, it was said, been the most profound scholar and the most acute theologian New England could boast; had not his father been a power in the church, young Aaron would not have found the way to fame so easy and so short. But he owed it to his industry and his parts. At an age when most young men are about to enter college, Burr received his degree and went, when seventeen, to study theology under Joseph Bellamy's roof. No preacher in Connecticut was better known. His writings were popular, and his fame as a theologian brought so many students to his house that it might well have been considered a seminary for the education of divines. From this school Burr came forth at the end of a year with a profound contempt for sects and creeds, and began the study of law. But the moment the news of Lexington reached him, he flung away his books and joined the army at Cambridge. Thence he went with Arnold to the Sorel river, rose to be a colonel and an aid on Washington's staff, and, in 1779, quit the army and again took up the study of law. For a time he was at Haverstraw, on the Hudson. Then he practiced at Albany. In 1783 he removed to New York. The opening was a fine one. The war had greatly increased the number of suits. The expulsion of the Tories

had greatly reduced the number of lawyers, and Burr soon found plenty to do. Indeed, with Hamilton, he led the bar, and was sure to be found in every suit in which Hamilton was retained. The two were repeatedly opposed. For Hamilton belonged to the moderate Whigs, and Burr to that branch of the party which took an extreme and violent view, favored disfranchisement, and clamored for confiscation and the test act. By these men Burr was sent to the Legislature in 1784. But he seems to have been oftener in court than in his seat, and was never returned. In the spring of 1788, it is true, the walls of the city were plastered with handbills informing the public that at the coming election the Sons of Liberty would give their support to Deming, Melancthon Smith, Marinus Willet, and Aaron Burr. But the Federalists carried the day. In 1789 Clinton made Burr Attorney-General of New York. In 1791 he took Philip Schuyler's place in the Senate of the United States.

While the Senators and Representatives were slowly arriving, a new journal was seen lying on the tables at Oeller's and the Wigwam. Subscriptions to it had long been solicited, and many had put down their names. Yet none understood that its appearance was full of great political meaning, and that it marked the beginning of a new party. The name of the newspaper was the National Gazette. The editor was a man well known to all readers of the poetry of the revolution, and the few original articles its columns contained were sprightly and not ill written. In tone they would have been called Antifederal had not that term of late begun to fall into disuse. Each of the two parties which three years before had disputed and wrangled over the Constitution had undergone a great change. That instrument was every day becoming more and more popular. The Federalists, therefore, while they still kept the party name, had ceased to be the upholders merely of the Constitution, and had become the supporters and defenders of the men they had placed in power. A Federalist in 1791 was a man who approved of assumption and funding, who thought the Bank a public blessing, who believed in the excise and revenue system, who looked upon Hamilton as the first financier of the age, and impatiently awaited the day when his name and

his seal should appear at the end of proclamations and messages and national laws. The organ of this party was the United States Gazette.

Opposed to it were men who are by no means to be confounded with the Antifederalists. Many of the latter had, indeed, been won over to the Federalists by the amendments, the vigorous financial policy, and the revival of business which had followed so hard upon the adoption of the Constitution by eleven States. No small part of the Federal Republicans, for such was the name they assumed, were men who had gone with light hearts to cast their votes for Federal delegates to their State Conventions, who had cheered themselves hoarse, had built bonfires, discharged cannon, or marched in processions as the news of the ratification of State after State reached them, or had wept tears of joy as they saw the American Fabius pass through long lines of shouting people to take the oath of office. They had indeed deserted their old friends. But they were in no sense opposed to the Constitution. They were as deeply attached to it as on the ever glorious fourth of March whereon it became the supreme law of the land. They merely opposed the men who, under the Constitution, filled the high places in the Government. For in them the Republicans felt sure they saw unmistakable signs of monarchical feeling. What else, it was asked, could be the meaning of the titles with which the Senate had sought to disgrace Washington before it had been a week old? Was it republican for a great people to celebrate the annual return of the birthday of its chief servant with bonfires, with bell-ringing, and with toasts? Was it republican or monarchical to hold levees to which it was as hard to gain admission as to the court-balls and drawing-rooms of the Sovereign of Great Britain?* What was the meaning of the tawdry gowns in which the justices of the Supreme Court were tricked out? Could any fair-minded and just man behold the equipage, the state ceremony of the Vice-President, and say it became a simple, frugal republican officer? Was a perusal of Mr. Adams's

* In summing up the Forerunners of Monarchy and Aristocracy in America, the National Gazette of December 12, 1792, puts in the list titles of Excellency, Honorable, etc., levees, keeping the birthdays of servants of the Republic, huge salaries, and an irredeemable debt.

"Defence of the Constitutions" and his "Discourses on Davila," with their balances, their well-born, their distribution of titles, likely to inspire the youth of the country with a love of that simplicity and equality which is the life-blood of republics? Who was it the Secretary of the Treasury strove to attach to Government? Who, to be sure, but certificate-men and stock-jobbers, speculators and moneyed aristocrats? Did any one want better proof of the monarchical tendencies of the day?

That discontented men should have raised such a cry, and that weak men should have taken it up, is not strange? But no man at that time was so deeply impressed with the idea as Thomas Jefferson. After five years' residence in France he had come home, had been warmly welcomed by Washington, and rewarded for the great things he had done with the high place of Secretary of State. But scarcely had he taken office, and gone out to a few dinners and tea-parties at New York, when he began to discover odious signs of a coming monarchy. Both the man and the place were well suited to the growth of such an idea. Jefferson had but lately quitted a land where the whole nation, princes and dukes, learned doctors of the Academy and venal beauties of the court, were prating and singing and writing odes in praise of liberty and equality and the rights of man. He was saturated with democracy in its rankest form, and he remained to the last day of his life a servile worshipper of the people. New York was the least democratic city in the thirteen States. One half the population were avowed Tories. Of the rest, not a few recalled, with feelings of regret, the splendor of the colonial Governors, and still kept their coats of arms hanging in their libraries or in conspicuous places in their halls. The very members of Congress and high functionaries of the Government seemed to this ardent lover of the people to be devoted admirers of kings. It is now well known that few of the public characters who jostled each other at the President's levees were strongly attached to the Constitution. One has called it a frail and worthless fabric. Another has declared he never believed the union could be permanent. A third did not think its principles could be maintained. That men so disposed should, in conversation or over their wine, have let fall remarks which to a suspicious

listener seemed alarming, is quite likely. But that they could at the same time be faithful and zealous servants of the Republic was beyond the comprehension of Jefferson's mind. Their zeal, their patriotism, their illustrious public services, were to him but a cloak to cover up some horrid plot dangerous to the liberties of the people. What this plot was he longed to know; and to discover it, he lowered himself to become the political Boswell of his time. No man could talk with him on the most trifling matter of state but he went straightway, the moment the door closed behind his guest, to put down the conversation for his Anas. If he attended a cabinet dinner or a levee, he came away with a memory stored with bits of garbled talk to be carried home and noted in his journal. Fragments of idle gossip reported to him by tale-bearers, anecdotes, remarks carelessly dropped by political opponents, were all carefully preserved. In a little while, therefore, he began to brand as monarchists and aristocrats men whose republican principles were as sound, and whose patriotism was as pure and lofty, as his own. The medium of his attacks was the National Gazette. Its editor was a poor clerk in his employ, named Freneau.

Philip Freneau had been in turn a poet, a journalist, a magazine writer, and the captain of a ship, and had in these many occupations shown ability and skill. His "House of Night" and "Santa Cruz" were still thought fine poems. Thousands of men could never hear his name spoken without recalling the hearty laughs they once had over the "Reflections," "Confessions," and "Last Will and Testament of Rivington." It was as a writer of news, however, that he was most successful, and, after several ocean voyages as a ship-captain, he abandoned the sea, went back to journalism, and began to think about setting up a newspaper of his own. At first he was for settling at Elizabethtown in New Jersey. But Madison, who was his old college friend, and Henry Lee, who was his devoted admirer, urged him to go to Philadelphia. For a time he hesitated. But finally he went, was made translating clerk in the Department of State, and editor of the National Gazette, of which Jefferson was the master-mind. Freneau did indeed at one time take a solemn oath that none of the shameful articles that filled its columns were from Jefferson's pen. But as old age came

upon him he took back his statement. To one friend he declared that Jefferson wrote or dictated the most abusive of them all. To another he showed a file of Gazettes in which were marked the articles that came from the hand of the Secretary of State. However this may be, it is certain that the Secretary approved of all that was printed, and, while he sat in the Cabinet and ate the bread of the President, continued to keep in his pay a clerk whose abuse of Washington makes that afterward poured out by Benjamin Franklin Bache seem almost decent. Civil remonstrances and broad hints were of no avail.* There was a vile taste for monarchy abroad which must be checked. That excellent Constitution which the Secretary had himself once called "a balloon sent up to keep the barn-yard in order" must be preserved. Adams was denounced as a monarchist. Hamilton was an aristocrat. The holders of scrip were the "corrupt squadron." The Bank was a monarchical institution, a machine for the corruption of the Government.

Language such as this was for some time confined to the columns of the Gazette and the mouths of a few Republicans. But, before the session closed it was boldly spoken on the floor of the House of Representatives. The results of the first census had been laid before the House, and a motion made that, till the next counting of the people, the ratio of representation should be one for each thirty thousand. During all the voting and debating the line which parted the supporters from the opponents of the measure was strictly a geographical one. The North was for lowering the ratio. The South was for keeping it up. The present system of apportionment, said the friends of the motion, is most unjust and dangerous. Too much power is placed in the hands of a few. It is indeed true that a large

* On one occasion at a Cabinet meeting Washington observed: "That rascal Freneau sent him three copies of his paper every day, as if he thought he would become the distributer of them; that he could see in this nothing but an impudent design to insult him; he ended in a high tone." Again on another day: "He adverted to a piece in Freneau's paper of yesterday; he said he despised all such attacks on him personally, but that there had never been an act of the Government, not meaning in the executive line only, but in any line, which that paper had not abused. He was evidently sore and warm, and I took his intention to be that I should interpose in some way with Freneau, perhaps withdraw his appointment of translating clerk in my office. But I will not do it." Jefferson's Anas.

representation is not free from objections. Where responsibility is divided among a great number, each feels less of it. Public business, too, is retarded, more diversity of opinion brought in, and a way opened for all the evils of a pure democracy, or gathering of the whole people. But it must be remembered that the tendency of republics is not toward democracy, but toward monarchy. With wealth comes desire for rank and titles and vain distinctions. And could any man deny that this movement was going on in America? Had there not been a most alarming revolution in property within a year? Had not a prodigious inequality in circumstances followed? Had not Government itself done much to further this growth of a moneyed class? Was not the Bank of the United States a most important machine in promoting the interests of the rich? Nay, in time, and in a short time, it would be a most powerful engine for corrupting the House of Representatives itself. Were not some of the members already become directors? It was only by increasing the representation that a barrier could be set up to this moneyed interest. The House of Representatives was the bulwark of the people. No man could deny that the Federal Government was highly seasoned with prerogative. How much control had the people over the appointment of a Federal officer? How much did they have over the choice of Senators? On what, then, must they depend for checking encroachments on their liberties and hindering the spread of a monarchical spirit? On their Representatives. There was, of course, a limit to the number of them, and this limit, most happily, had been set by the Constitution. That instrument ordered that the ratio should never be more than one to thirty thousand. By the showing of the census, this would send to the House each year about one hundred and thirteen members. Some gentlemen might cry out against this number and complain of the cost. But it would indeed be a dark day for the continent when the people were too poor to pay for having their liberties well guarded.

The opponents of the motion replied to these statements and said, that of all possible ratios, one to thirty thousand was the worst. No other would produce so many and so large fractions. Whoever would be at the pains of going through the

census-returns, dividing the population of each state by thirty thousand, would get results which, unless he were indeed blind to the light of truth, must convert him at once. In Virginia there would be a remainder of five hundred and fifty-nine; in Massachusetts twenty-five thousand three hundred and twenty-seven; while in the fifteen States there would be more than three hundred and sixty-nine thousand citizens without any representation whatever. Could any man behold these figures and for a moment longer maintain that the proposed ratio was just? The gentlemen who supported the motion were loud in favor of a full representation. Was this a full representation? Were long arguments needed to prove that the fullest representation was that which left the smallest unrepresented fraction in each State? But the ratio which produced this result was one to thirty-five thousand. Surely, then, it ought to be used. Much had been said about the size of the British House of Commons and the National Assembly of France. God forbid that America should ever make an example of them. As for the dreaded influence of the Bank, it was a waste of precious time to discuss it. Such an objection merely went to show that the members who made it were displeased that so much of the stock was owned at New York and so little at Conococheague. This might be branded as the language of an aristocrat. Yet it was a true statement. Did anybody really believe that stockholders and speculators, with thousands of dollars at stake, were less anxious for a wise and good representation than the men who followed the plough, and never loaned the Government a shilling in their lives? The idea was ludicrous.

A member from Virginia denied this flatly. Everybody knew, he said, that an unequal distribution of worldly goods led straight to monarchy. In the United States a hundred causes combined to produce this unequal distribution. Before the farmer lay a land so fertile that the like of it could not be found on the face of the earth. For the merchant there was an unshackled commerce. For the manufacturer, plenty of raw material and cheap food. For all men there were the blessings of peace, and the right to the sole enjoyment of the fruits of their industry, however great. These were intrinsic circumstances.

But there was also a contingent one. There was a public debt. Most men thought it a heavy burden. But a wise and just Government thought otherwise. Not content with paying the obligations due in the name of the continent, it had assumed those contracted by the separate States. It had gathered the scattered claims from the many and placed them in the hands of the few. Instead of an agricultural or republican, a money-eyed interest had been enlisted in the country, ready to do all things at its bidding and to go all lengths in its behalf. An unauthorized corporation of wealthy men had been set up and put far beyond the reach of Congress. A sinking fund had been founded. One financier had been declared better able to tax the people and manage their money affairs than the whole collected wisdom of their chosen representatives. Was there no danger in this? Did it not smell of monarchy, of aristocracy? "The Government of America," said he as he closed his harangue, "is now in a state of puberty. She is soon to take on a fixed character. On the vote of this House depends whether she preserves the simplicity, purity, and chastity of her native representation and republicanism, or, so early in youth, prostitutes herself to the venal and borrowed artifices of a stale and pampered monarchy."

When the vote on the motion that the ratio should be one to thirty thousand was taken, the Speaker declared the ayes had it by thirty-five to twenty-three. In this form the bill went to the Senate, was there amended to read one to thirty-three thousand, and sent back to the House. That body was far from pleased. A member from North Carolina murmured that, if the new bill cut down the fractions in the North, it put up those in the South. But his complaints were quickly silenced. One of his hearers proved from the figures of the census that the fractions of but one State would be increased. Another told him plainly that the South ought to be ashamed to object, after so liberal a representation had been given to her slaves. A third showed that, if the ratio stood at one to thirty thousand, Virginia would send as many members to the House as six other States whose Federal population was greater than hers by seventy thousand souls. The House, however, threw out the amendment. The Senate stood firm,

insisted on it by the casting vote of the Vice-President, and, as the House would not give way, the bill was lost.

No more was heard of the matter till late in March, 1792. A new bill had by that time been hastily made ready, a ratio of one to thirty thousand and a provision for a new census and apportionment before the end of the next Congress inserted, and in this form sent to the Senate. The upper House struck out the census clause and raised the number of representatives to one hundred and twenty. The idea was old. It had indeed already been urged in the House. But Madison had declared it contrary to law. The constitutional provision, he said, of one to thirty thousand applied to the States individually, not to the total number of inhabitants. When the debate came on in the House it was warm and bitter. Threats of secession were heard on all sides, and, when the vote was taken, the ayes were thirty, the nays thirty-one. A conference was then held, but, the Senate non-concurring, the House yielded and passed the bill. The vote was thirty-one to twenty-nine. It soon came back, however, with the President's veto. Jefferson and Randolph had persuaded him that it was unconstitutional, and, on reconsideration, the House thought so too.

And now a third bill was brought in. This put the ratio at one for thirty-three thousand, gave the House one hundred and five members, and soon became a law.*

During the whole of this long and stormy debate the people showed little concern for the bill. No meetings were held on the subject. Scarcely a word of comment appeared in the gazettes. There could be no better proof of a lack of interest, for, while the newspapers of that day were as powerful in guiding public opinion as in our own, they were a much surer

* The representation of the States thus became—

Virginia	19	New Jersey	5
Massachusetts	14	New Hampshire	4
Pennsylvania	13	Vermont	2
New York	10	Georgia	2
North Carolina	10	Kentucky	2
Maryland	8	Rhode Island	2
Connecticut	7	Delaware	1
South Carolina	6		105

index to the state of the public mind. No editor had then in his pay a large staff of correspondents and reporters busy gathering news from every quarter of the land, and furnishing opinions to men too busy or too indolent to think. With the exception of a column of local items, and it may be another, which, giving a summary of news for the week, did duty as an editorial, the newspaper was made up of contributions which came directly from the people or were copied from other gazettes. It is not uncommon to find in several consecutive issues a half-dozen lines in which the editor regrets that he is forced to decline the papers of "Cassius" and "Citizen," or promises to publish that of "An Old Soldier" in his next. Every gentleman of leisure who took an interest in manufactures, or had a taste for politics and could turn a neat essay, was sure to send something to the press. Every citizen who felt aggrieved at the conduct of Congress, or the negligence of his town officers, gave expression to his anger in some Advertiser or some Packet. Even the officers under Government made use of the journals to publish their opinions on politics, or to reply to the strictures and abuse of unknown foes. It often happened, therefore, that they became engaged in disputes which would now be thought unseemly in a department clerk. Such, indeed, happened to Pickering.

On the resignation of Samuel Osgood in 1791, the office of Postmaster-General was bestowed on Timothy Pickering. So insignificant was the place, and so light the duties that officer was to perform, that Washington did not think him worthy of a cabinet seat. Yet there is now no other department of Government in which the people take so lively an interest as in that over which the Postmaster-General presides. The number of men who care whether the Indians get their blankets and their rations on the frontier, whether one company or two are stationed at Fort Dodge, whether there is a fleet of gunboats in the Mediterranean Sea, is extremely small. But the sun never sets without millions upon millions of our citizens intrusting to the mails letters and postal-cards, money-orders and packages, in the safe and speedy delivery of which they are deeply concerned. The growth of the post-office in the last ninety years is indeed amazing. In 1792 there were two hundred

and sixty-four post-offices in the country;* now there are forty-nine thousand. The yearly revenue which they yielded then was twenty-five thousand dollars.† Now it is far above forty-five millions. More time was then consumed in carrying letters ninety miles than now suffices to carry them one thousand. The postage required to send a letter from New York to Savannah was precisely eighteen times as great as will now send one far beyond the Rocky Mountains, into regions of which our ancestors had never heard.

With newspapers the Postmaster-General would have nothing to do. The postmasters in the towns and villages did, indeed, receive them and send them on with the mails, but they were under no obligation to do so. It is, therefore, a common thing to read, in the papers printed at towns remote from the seaboard, complaints that the Pennsylvania Packets or the New York Journals were kept back, and civil requests to the postmasters to let them come on. ‡ When they did come it was usually in saddle-bags, and, as the riders never travelled by night, they were several days old. From the official post-office notices in the newspapers, it appears that letters which went out from Philadelphia at eight and a half in the morning of Monday were expected to reach New York at two in the afternoon of Tuesday. Precisely the same number of hours was spent on the road from Philadelphia to Baltimore.# Under the confederation this pace was thought speedy enough; but times had changed. A new Government had been set up; the debt had been funded; the Bank had been established. A wild desire to speculate had taken hold upon men, and, in their anxiety to hear of the doings of Congress and the price of stocks in the neighboring cities, a post that made ninety miles in twenty-nine hours and a half seemed insufferably slow. An attempt was therefore made to hasten the mails, and Jefferson, at the suggestion of Washington, had a long conference with Pickering. The wish of the President was that let-

* The number of post-offices in 1776 was twenty-eight, in 1790 there were seventy-five, and in 1795 four hundred and fifty-three.

† Osgood's Report to Secretary of Treasury, January 20, 1790.

‡ Albany Gazette. American Daily Advertiser, March 26, 1792.

American Daily Advertisers for January, 1792.

ters should travel one hundred miles in twenty-four hours. The plan was to have the pouches carried by the riders in the day and by the coaches during the night; but the country was too poor. An attempt had, indeed, been made in New Jersey to run mail-coaches with seats for four passengers; but that State laid a yearly tax of four hundred dollars on stages and taverns, declared the Federal Government was no better than an individual, and demanded payment. In Maryland and Virginia the right to convey passengers had been granted as a monopoly to certain men. When, therefore, the motion was made in Congress that all stage-wagons of the post-office should have the right to carry passengers too, a cry went up that such a law would be a violation of State rights, and the motion was lost.*

Another motion, however, was more successful. Indeed, it became a law, and for nearly a half-century controlled the affairs of the post-office. The act, as it passed from the President, fixed the rates of postage, gave the franking privilege to Congressmen and heads of departments, and made newspapers mail matter. The postage on a letter was six cents for any distance not greater than thirty miles. This limit passed, it grew rapidly, till it stood at twenty-two cents for four hundred and fifty miles;† beyond that twenty-five cents was exacted.

* Annals of Second Congress, January 3, 4, 1792.

† The rates of postage for single letters were:

0 to 30 miles,	6 cents.	200 to 250 miles,	17 cents.
30 " 60 "	8 "	250 " 350 "	20 "
60 " 100 "	10 "	350 " 450 "	22 "
100 " 150 "	12½ "	450 —— "	25 "
150 " 200 "	15 "		

An Act, etc., approved February 20, 1792, section 9. Also, American Daily Advertiser, December 29, 1791.

The revenue yielded by these high rates is worthy of consideration:

	Gross Revenue.	Expenses.	Net Revenue.
From Oct. 1, 1789, to June 30, 1791.	$71,295.93	$67,113.66	$4,182.27
From July 1, 1791, to Dec. 31, 1792..	92,988.40	76,586.60	16,401.80
For year 1793.....	103,883.19	74,161.03	29,722.16
For year 1794.....	129,185.87	95,379.53	33,788.34

A Sketch of the Finances of the United States, p. 179, Gallatin.

In passing by sea from port to port the charge was eight cents.* These rates applied only to single letters, and by a single letter was meant one written on a single sheet of paper, however large or small. Two sheets made a double letter. Three sheets a triple. Packets, however, went by weight, each ounce, avoirdupois, costing as much money as four single letters. No postmaster in future, it was further decreed, should receive or distribute newspapers free of postage, and the postage was to be one cent a paper for any distance to a hundred miles; after that the rate became a cent and a half. In the House the franking privilege and the powers of the Postmaster-General provoked a warm debate. Among the people little notice was taken of any part of the bill save the newspaper clause. One grumbler declared that it would now cost more to send a paper from Portland or Savannah to Philadelphia than to bring it over from London, and in support of his statement quoted Pickering.† A Postmaster-general of our time would scarcely feel called on to defend the justice of an act of Congress, or to reply to all the slurs cast on his department by the press; but it was not thought so then, and Pickering, after the manner of his age, replied. He called his critic a liar, who lied because it was natural to him and he could not help it,‡ and then gave some facts and statistics which are both curious and valuable. The greatest mass of newspapers that had ever in any one week been lodged in the post-office by the Philadelphia printers weighed two hundred and forty-two pounds. No count had been made, but, as the papers always came wet, it was safe to take the weight of each at one ounce,# and hence the number at three thousand eight hundred and seventy-two. During the same week one thousand one hundred and forty newspapers came into the city from all parts of the country, some to stay, some to pass through.‖ The whole number of copies of newspapers printed in the United States in a year might, he said, be liberally estimated at four millions and a half. Of these not above one

* An Act, etc., section 9, Laws of the United States, 1792. Also, American Daily Advertiser, February 27, 1792.

† American Daily Advertiser, February 2, 1792.

‡ Ibid. # Ibid. ‖ Ibid., February 9, 1792.

ninth, or five hundred thousand copies, would ever find their way to the post-office. It seemed quite reasonable that one hundred and fifty thousand of these might be assumed to pay a cent and a half; the remainder paying one cent, the gross revenue would probably be five thousand seven hundred and fifty dollars. The net revenue would be one half that sum, for the other half was to go to the postmasters for their trouble in taking and delivering papers and collecting postage. To talk about the princely income the Government would receive was, therefore, absurd.

But the grumblers were not to be persuaded that the measure was a wise one.* It was, they said, a vile tax on knowledge. The business of a newspaper was to spread information, and that kind of information which was most valuable in a republic, information regarding the doings of Government. Men who dwelt far from the seat of Congress had come to look upon the Gazettes and Journals as their only means of knowing what steps were being taken to protect the frontier, to pay the public debt, to encourage arts and commerce. When, however, to the eight dollars a year paid to the printer was added the four dollars and sixty-eight cents they must pay to the postmaster, poverty would force them, loath as they were, to withdraw their subscriptions. Then Government, removed from their searching gaze, would make inroads on their liberties and sport with their dearest rights. Nay, this had already been done. What else was the franking privilege but an aristocratic distinction? Why should the mass of the people be loaded with an odious tax while a select few escaped? Was the information likely to be conveyed in the letters of Congressmen better than the information to be found in the Packets and Journals? What kind of information did these letters convey while the funding system was being framed? Had not these self-appointed aristocrats most

* Even Madison looked on the "newspaper tax" with alarm. "I am afraid the subscriptions will soon be withdrawn from the Philadelphia papers unless some step be speedily taken to prevent it. The best that occurs seems to be to advertise that the papers will not be put into the mails, *but sent, as heretofore*, to all who shall not direct them to be put into the mail. Will you hint this to Freneau?" Madison to Jefferson, June 12, 1792.

shamefully abused their privilege on that occasion? Had they not by their franked letters sent and gathered news from all parts of the country for nothing, which, had their constituents sought it, would have cost great sums of money? And now they had the face to gloss over the newspaper postage with the name of revenue! That scheme of finance which collected a revenue from the mails by loading them with free letters might be understood by the mind of a Congressman; but, happily, such minds were rare.

The long list of newspapers which our ancestors feared would be cut down in circulation by the new postal law is well worthy of examination. Of the Packets and Journals, Gazettes and Centinels there contained, not one came out on Sunday. No religious paper, no scientific paper, no illustrated paper, nor one which, in our time, would be called a literary or a trade journal, appears in the list. Yet it would be erroneous to suppose that the newspapers had not made great progress in the seven years of peace. A few that witnessed the revolution had indeed ceased to exist. But their places were more than filled by others which sprang up in every part of the Union. Towns once content to read such Packets and Courants as came by the post-boy now boasted of Mirrors and Oracles of their own. At Falmouth, in Maine, at Northampton, in Massachusetts, at Harrisburg, at Pittsburg, and far down the Ohio, where, ten years before, the country was a wilderness, rude presses had been set up and newspapers appeared. In the East two journals of enterprise put forth issues each day. The attempt was a bold one. News was hard to gather. The presses were so rude that the best workmen could turn off no more than two hundred copies in an hour. The cost of paper was high, and no newspaper had yet reached thirty-six hundred subscribers.

Six years before the war but two paper-mills could be found in New England. One was at Norwich, in Connecticut; the other was at Milton, whence a bell-cart went out each month to collect rags at Marblehead and Salem, at Providence and Newbury, at Charlestown and Boston.* When the war

* News Letter, March 6, 1769.

opened, the supply of paper from England ceased, and the forty mills in the United States were unable to supply the demand. Rags could not be gathered. Again and again the newspapers were forced to suspend. The printer of the Connecticut Courant in desperation established a paper-mill of his own. The Massachusetts Spy besought "the fair daughters of Liberty" to save every scrap of rag and send it to some paper-mill.* Still they did not come in fast enough, and the newspapers were compelled to become gatherers for the mills. Indeed, to the close of the century, and even later, it is hardly possible to look over the four stiff, blue pages of a country newspaper without meeting with an offer of the printer to buy old rags.† Under this stimulus the mills increased rapidly in number. When 1797 came there were sixteen in Connecticut. They would employ, it was proudly said, one hundred and sixty hands, and consume three hundred and twenty tons of rags each year. Taking the number of families in the State at thirty thousand, each should, therefore, furnish its quota of twenty-four pounds. It was earnestly hoped every man would say to his wife, "Molly, make a rag-bag and hang it under the shelf where the big Bible lies." ‡ Another paper wished that every child should be taught his "rag lesson." # When the first paper-mill west of the mountains was set up, like appeals went forth repeatedly to the public. ‖

Something, however, had been gained by the new postal law. Newspapers had at last become mailable. They would no longer be dependent for circulation on the pleasure of the post-rider. But the law said nothing about books or maga-

* Massachusetts Spy, November 16, 1780.

† Stanton Spy, September 21, 1793; Maryland Gazette, November 12, 1795; Hudson Gazette, May 26, 1796; Albany Gazette, May 17, 1796; Federal Mirror, January 21, 1796; Republican Journal and Dumfries Weekly Advertiser, April 7, 1796; Centinel of Liberty, June 14, 1796; Washington Spy, June, 1796; Washington Gazette, 1796; Frothingham's Long Island Herald, July, 1798; Connecticut Courant, April 8, 1793; Herald, December 21, 1796; Weekly Oracle, New London, March, 1800; Weekly Register, Norwich, December, 1791; The Argus, January, 1793; Columbian Chronicle, August, 1794; Washington Advertiser, March, 1796.

‡ Norwich Courier. Boston Gazette, May 27, 1797.

Boston Gazette, May 14, 1798.

‖ Western Telegraph, January 12, 1796.

OF CALIFORNIA

zines; the Postmaster-General refused to have them enter the mails, and, in consequence, one of the best magazines of that time was forced to suspend.*

When the "American Museum, or Repository of Ancient and Modern Fugitive Pieces, Prose and Poetical," expired, there were but two older periodicals left in the country. Indeed, when the first number appeared, in January, 1787, two rivals were all it encountered. One was printed at Boston;† the other, and unquestionably the better of the two, the Columbian Magazine, had been started four months earlier at Philadelphia.‡ "The Universal Asylum and Columbian Magazine," conducted "By a Society of Gentlemen," was remarkable for the variety and the excellence of the copper plates which "embellished" its pages. Yet neither it, nor its fellows, have any resemblance to a modern monthly magazine. The custom, now so common, of preparing a November number for the press in the middle of July, and issuing it in the middle of October, was unknown. Those for November came out in December, and the same contributions often appeared in several. Each had a "Parnassiad" of "selected poetry," generally odes to Laura; selections from the writings of Colonel Humphreys and Philip Freneau; epigrams, epitaphs, songs translated from the French, and, at times, a few lines from Homer. There were "Political Speculations," in which were "Remarks on the Conduct of Spain with respect to the Mississippi," and "Considerations on the best Interests of the United States." There were "Public Papers" and "Physical Papers," giving some "account of a horse with a living snake in his eye," and "The true nature and cause of the tails of comets." There was a chronicle of foreign and domestic news, "Satiricals" on old bachelors, old maids, and married men; reports of law-cases; now and then an "impartial review" of such a

* "Besides the reason for its discontinuance that has been assigned, another has had some influence, and perhaps ought not to be passed in silence; that is, the construction, whether right or wrong, of the late post-office law, by which the postmaster here has absolutely refused to receive the Museum into the post-office on any terms." American Museum, December, 1792.

† Boston Magazine.

‡ See for one instance American Museum, August, 1792; and Columbian Magazine, August, 1792.

novel as "Modern Chivalry" or such a book of travels as Bartram wrote; long biographies and long laments over the degeneracy of the time. Nor were "Rural Concerns" forgotten. Farmers were given "hints," and instructed as to the culture of Tartary oats and the use of plaster of Paris for manure. The back of the title page was often used by the printer to acknowledge the verses of J. H., to regret that the paper of Americus could not be used, or to beg Baltimorean not "to pester" him with any more "collections," as the postage on each was twenty-five cents.

Between 1786 and 1792 ten magazines sprung up.* Some struggled on for a few years, but more quickly perished. In 1792 a Ladies' Magazine was begun, with a preface of that kind of fulsome flattery it was the fashion for women to receive. When the century closed, the first religious magazine, the first "review," and the first political monthly were begun.† Long before that day, however, books and pamphlets were admitted to the mails.

The act of 1792 expired by limitation on June first, 1794. Some changes were then made. Carriers were to be employed in the great cities, and two cents paid them for every letter delivered. On such as by written request were held at the office, one cent was charged. Postage on a single newspaper going to any town in the State wherein it was printed was reduced to one cent. When the size of the mail and the mode of conveyance would permit, magazines and pamphlets might be taken. The rate was one cent a sheet for fifty miles

* The Boston Magazine, The South Carolina Magazine (published for three years), The American Museum, The Columbian Magazine, Massachusetts Magazine, or Monthly Museum, Philadelphia Magazine, New York Magazine, Worcester Magazine, Gentlemen and Ladies' Town and Country Magazine (published at Boston), The Ladies' Magazine and Repository of Entertaining Knowledge.

† 1793, Farmer's Museum; 1795, American Monthly Review, or Literary Journal; this was devoted entirely to the review of books; 1796, Lady and Gentleman's Pocket Magazine; United States Magazine; 1797, American Universal Magazine; Methodist Magazine; 1798, Review and Annual Register; Philadelphia Magazine; Dessert to the True American; The Weekly Magazine; Philadelphia Nimrod; 1799, The National Magazine, or a Political Biography and Historical Repository; 1800, The Political Magazine and Miscellaneous Repository, Ballston, New York; The Ladies' Magazine; Monthly Magazine.

or less, half as much more for the next fifty miles, and ten cents when the distance was over one hundred. Had the American Museum been in existence, the postage on the thirteen sheets which made each monthly number would, at New York, have been twenty cents.

The feelings aroused by the newspaper postage act, however, were mild and placid compared with the indignation awakened by the Indian war. Some of the grumblers who had acquired the habit of denouncing everything done by the Government fell upon the Secretary of War and abused him roundly. Some bemoaned the expense of buying arms and cannon for raw troops to fling away every time they heard the whoop or saw the painted face of a Miami. Others took a higher ground and pretended to be greatly shocked at the inhumanity of robbing Indians of their land. "Why," said they, "is the sword, but just sheathed after a bloody contest with Great Britain, again to be laid bare? To what purpose is the outstretched arm of the union to be exercised? Do these natives hold a land we have an indubitable right to claim? Are we so contracted in territory that we stand in immediate need of immeasurable tracts of wilderness? We are told we have purchased it! Purchased it! Is a keg or two of whiskey, a couple of bundles of laced coats, and a few packages of blankets, an equivalent for a region as great as a kingdom? Is a treaty signed by the scratches of the drunken chiefs of two tribes to be binding on the sober chiefs of a hundred tribes? No. They have as much right to their hunting-grounds as we have to our cities or our farms. It is painful to arraign the conduct of the administration, but it is time the attempt to gloss over the shameful defeat of the Federal army and turn aside the censure of enraged freemen was stopped. More than half a million of dollars have been spent, two brave armies have been slaughtered, the glory of the Republic is prostrate; and for what? Does anybody know for what? Was it to acquire land? Surely not, for we have too much already. Was it to defend the frontier? No, for the settlers in that unhappy country find no relief. Was it to punish the burning, massacring, and stealing of the Indians? No, for they have done none of these things. A very respectable minority of men be-

lieve the whole war is simply the result of a capricious ministerial resentment; an ill-timed desire to dazzle the country with the brilliancy of the Department of War. The able minister who is charged with the management of its affairs seems to think, since the census was taken, that the United States is overstocked with men and money. The Secretary of the Treasury has a sinking fund. Therefore the Secretary of War must have one also, and begins by putting into it six hundred brave men and five hundred and thirty-two thousand dollars. The President may be able to excuse to himself the folly of bestowing the command of such an army on such a general, but not to the country. The courage, the loyalty, the skill of St. Clair, are indeed above reproach. The country still remembers with gratitude the great things he did at Trenton, at Ticonderoga, at Saratoga, among the Indians. But disease had so broken him down that he ought never to have left the fort. The sight of an army moving to attack the most active, the most vigilant, the most cunning of foes, yet led by a general wrapped in flannels, unable to stand, lying in a car bolstered with pillows, surrounded with physic, and groaning at every jolt of the wagon, must indeed have been a 'raree-show' to the sturdy frontiersmen of Kentucky. No wonder he was soundly beaten. He ought to have been soundly beaten. Was there ever such mismanagement? The Secretary of War gathers an army of raw recruits, gives them muskets charged with single ball and fitted with bayonets, and sends them brass field-pieces to drag floundering and tumbling through the marshes of an unknown country, that they may batter down the limbs of trees on an unseen foe. The officers wrangle and fall out, the troops desert by scores, a sick general, neglecting patrol parties and spies, lies down to sleep within gunshot of his enemies, and never knows it till they wake him in the morning with their hideous yells." *

* Many years later a ballad on St. Clair's defeat, entitled "A Patriot Song," by M. Bunn, was written:

"November the fourth, in the year ninety-one,
We had a sore engagement near to Fort Jefferson;
St. Clair was our commander, which may remembered be,
Since we lost nine hundred men in the western territory.

. . . . . .

Much the same language was heard in the House. The occasion was a long wrangle over a Bill for the Protection of the Frontiers. The second section provided for raising and equipping of infantry and light dragoons to the number of three thousand and forty men. The motion under debate was to strike this out. The present Indian war, it was said by the supporters of the motion, is as unjust in its origin as it has been unsuccessful in its conduct. The aggressions of the whites began it. Two Indian victories, it is to be hoped, will end it. To carry on hostilities in the face of these facts is to put good money to a bad use. Suppose our arms are crowned with victory. What then do we gain? We gain possession of thousands of acres of Indian lands. Do we want these acres? Have we not now more land in the West than we will ever be able to turn into farms and hamlets for a hundred years to come? Look, too, at the army that is to be gathered. During our late arduous struggle for liberty, when we had to cope with the most powerful nation on which the sun shines, the commander-in-chief never had, at any one time, above ten thousand men under his command. Now it is proposed to enlist near six thousand men to fight a handful of Indian banditti, whose number, as the papers on the table show, is not above twelve hundred. Where is this business likely to stop if it goes on growing at the present rate? At first a single regiment was wanted; this cost one hundred thousand dollars. Then a second was added, and the expense rose to three hundred thousand dollars. Now a standing army of five thousand one hundred

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"Young Major Dark received a ball close to his father's side.
'These feeble hands shall be revenged on my son's death,' he cried.
He quickly drew his sword in hand, and through the ranks he flew,
And, like a brave Virginian, the savage there he slew.

"These words he scarcely uttered when he received a ball,
And likewise our Lieutenant Spear down by his side did fall.
'Stand to your guns,' said gallant Ford, 'for I am not yet slain;
I will lay me down and bleed awhile, and rise and fight again.'
. . . . . .

"The day before our battle fifteen hundred men we had,
But our old gouty general he used us very bad:
He whipped, and hung, and starved his men in barbarous cruelty;
Thus negro-like he did behave in the western territory."

See Historical Magazine, December, 1868.

and sixty-eight men is asked for, swelling the yearly outlay to a million and a quarter of dollars. Can this be justified in the present state of our finances? Has not the Secretary of the Treasury refused to build a light-house on the coast of a certain State because he has no money? Where, then, is the money for this war to come from? The excise is unpopular and unproductive. The impost cannot with prudence be abolished. No! let this business stop. Let us squander no more money on a strife which no one, except he be in the secrets of the Cabinet, can tell why it was undertaken.

To this it was answered: If the present war be not justifiable, then there never was, and there never will be, a just war. It was not begun, and has not been carried on, for conquest. It was begun in defence of our fellow-citizens, our friends, our dearest connections, who on the frontiers are daily and hourly exposed to all the rage of savage barbarity. They cry to us for help. And are we the base cowards to stand by and see them, their wives and their children, butchered before our eyes, that we may save a few paltry dollars? We are told the Indians have committed no depredations, no murders, no harm. Have we not documents signed by the hand of the Secretary of War, signed by the Executive and attested by the Legislature of Kentucky, signed by the District Judge, by the captains of the militia, by men of every rank and profession, saying that foul crimes and murders have been done? Do we not know that between 1783 and 1790 fifteen hundred human beings were killed or dragged into captivity, two thousand horses run off, and fifty thousand dollars' worth of property destroyed? And through all this has not the Government been kind and forgiving to a fault? While flat-boat after flat-boat was being plundered on the Ohio, while hundreds of lodges were being hung with freemen's scalps, was not the Government coming to the savages with offers of peace? Did it not do so in 1783, in 1784, in 1785, in 1787, in 1788, in 1790? And how did the Indians behave? In 1790, when a treaty was offered at the Miami village, they refused to treat. They asked for thirty days to consider. This was granted, and, while the Kentuckians, forbidden by the President, made no move against them, they killed one hundred and twenty whites, roasted

several more alive at the stake, and, when the thirty days were over, refused to give any answer at all. Again, at another time, having refused our offer of peace, did they not taunt us with the reproach that the British still held our posts? But it is too late to talk about the origin of the war. We are involved in it. We cannot go back. We are told the excise is unpopular, and money wanting. What of that? What is the excise, what is any sum of money figures can express, when compared with the lives of our brethren and our friends?

When the motion on the amendment to strike out was put, the ayes were eighteen, the nays thirty-four. Two days later the bill passed.

In the midst of this outburst of public anger St. Clair resigned. The President was at first much disposed to bestow the vacant place on Henry Lee, who, having borne arms with honor under Greene, was then Governor of Virginia. But the rank of Lee had not been high; and to find skilled officers willing to obey a man who had once obeyed them was impossible. The command of the army was, therefore, given to Anthony Wayne. A better officer could not have been found.

Wayne was a native of Chester County, Pennsylvania, was descended from English stock, and showed, even in his youth, a strange fondness for battles and sieges and tales of war. Hours which he might have spent shooting squirrels and hunting nests he passed in teaching his companions to throw up intrenchments and storm redoubts. His uncle, who was his teacher, complained of such behavior, and his father bade him choose between the farm and his books. He chose the books, put away all thoughts of mud-forts and skirmish-lines, went to the Academy at Philadelphia, and in his eighteenth year returned home to follow the occupation of a surveyor of land. Business came to him, and for a while he managed the affairs of a company of speculators in Nova Scotia land. In 1774 Wayne was sent to the Provincial Congress, and then to the Provincial Legislature of his native State. In 1775 he became one of the Committee of Public Safety. In 1776 he raised a company of volunteers and joined the northern army as colonel of one of the four regiments that made up the quota of Pennsylvania for the war.

There his energy, his courage, the coolness he exhibited under fire, marked him out from the first as a man destined for high command. He was wounded at Three Rivers, fought at Brandywine, was twice wounded at Germantown, received great praise for his conduct at Monmouth, and took Stony Point. For this memorable act Congress gave him a gold medal, and the people bestowed upon him the honorable nickname of Mad Anthony Wayne. He was present at the capture of Cornwallis. Then he went to Georgia, helped to drive the British from that State, and received from the Legislature a vote of thanks and a farm. But to stock it and work it required money. Money could not be borrowed in America, Wayne was forced to find some one to negotiate a Dutch loan, and the land in consequence was soon the property of the makers of the loan. In 1791 Wayne came to the second Congress as one of the Representatives Georgia sent to the House. James Jackson contested his seat and the House turned him out. He was then offered the command of the army, and took it with delight.

To support the army Wayne was now sent to lead, Congress revised the tariff, and, till such time as the new duties should be collected, the President was authorized to borrow from the Bank. The old system of bounties to which the New England cod-fishers had been used under British rule was next re-established; a bill to regulate the militia passed; the estate of General Nathanael Greene indemnified for money he had spent in the good cause, and, late in March, the Coinage Act taken up.

The gold coins of the United States, it was decreed, should be the eagle, the half-eagle, the quarter-eagle; the silver coins the dollar, the half- and quarter-dollar, the dime and half-dime. The coppers were to be the cent and the half-cent. This was the plan adopted by the old Congress. But the device was new, and provoked a heated debate. As the bill came from the Senate the tenth section provided that on the obverse of each gold and silver piece should be an eagle and the legend "United States of America." On the reverse the head of the President for the time being, his name, and his order in the presidential succession. In an instant the party of Jefferson

raised the cry of monarchy. "It has," said one member, "a very near affinity to titles, that darling child of the other branch of the Legislature, put out at nurse for the present, but intended to be recognized hereafter with all due form." Does not the Government consist of three parts? Why then put one head? Can the President be said to represent the Government? If so, must it not be monarchical? The whole scheme, indeed, had been borrowed from monarchies. What republic ever put the head of its consul or its chief magistrate on its money? The friends of the bill ridiculed these fears and declared that it was, after all, a small matter what went on the dimes and eagles. The Republicans denied this, and finally carried a motion to change the device to one "emblematic of Liberty," and the legend to "Liberty." But the Senate would not hear of it, and, two days later, the matter once more came up in the House. The motion was to recede from the amendment. What, exclaimed a speaker, is an emblematic figure of Liberty? A ghost had been said to be of the shape of the sound of a drum, and so, for aught he knew, might be Liberty. The idea of Liberty was as different as men. Some might think a bear broke loose from a chain a good emblem. Some might prefer a cap and pole. For himself he could see nothing better than the head of that great and good man they all loved. At this a member who sat for Virginia expressed deep sorrow. It was painful to hear gentlemen ridiculing republican cautions. He would warn his countrymen against the cabals, the corruptions, the animosities which in times to come might be excited by men eager to see their faces and their names go down to a remote posterity on the coin. When the motion to adhere to the amendment was put, the ayes had it by a vote of thirty-two to twenty-four. The next day the Senate concurred and passed the bill. A separate act ordered the immediate coinage of one hundred and fifty tons of copper. There was sore need of them, for of the old rap pence and half-pence not one remained. In their distress for small change, cities and corporations, tradesmen, nay, even churches,* had been

* It appears from the Minutes of the First Presbyterian Church of Albany that the Trustees, on January 4, 1790, "*Resolved*, That one thousand Coppers be stamped Church Penny, and placed in the Hands of the Treasurer, for the Purpose

forced to issue bits of card and slips of paper, which the people gladly took in lieu of pence. When the news of the design for the coins got abroad, a few grumblers muttered that a better one would have been an eagle on one side, and fifteen meek doves on the other. That, said they, would have been highly emblematic of the relation of the Government and the States.*

Had a foreigner landed upon our shores in the spring of 1792, and listened to complaints like these, he would have believed himself among the most cruelly oppressed of people. He would, in truth, have been among the most well-to-do. The malcontents who day after day denounced the Funding System, the Bank, the impost, the excise, and the Indian war as the bane and ruin of the country, saw about them on every hand evidence of a prosperity such as, five years before, would have filled them with amazement and delight. Never had money been so plentiful. Never had men been so eager to invest. No scheme the ingenuity of speculators could devise but filled in a single day. It was noticed that in one week at New York sixty fine estates were sold at auction and the money put into scrip and stocks.† Before the year went out this people, whom the Republicans described as burdened with taxes and overwhelmed with debt, laid out of its own accord thousands upon thousands of dollars on turnpikes, on bridges, and on canals. The time was fruitful of all manner of projects for internal improvement. But the favorite was canal, or, as it was called, Canal and Lock Navigation. The rage spread over the whole country, and in a few months plans were afloat for three or four artificial water-ways in every State. A Society for Promoting the Improvement of Roads and Inland Navigation in the State of Pennsylvania was started at Philadelphia, and soon three canals were the talk of the coffee-houses. One

of exchanging with the members of the Congregation at the Rate of twelve for one Shilling, in order to add Respect to the weekly Collections." In August, 1792, the Trustees of the First Presbyterian Church at Troy put out paper money for a like purpose. A cut of one of the two-pence tickets is given in Reminiscences of Troy, from its settlement in 1790 to 1807. J. Woodworth, p. 81. In the same works, p. 75, is a fac-simile of a three-penny ticket put out by a store-keeper, January 1, 1791.

* National Gazette. † American Daily Advertiser, February 20, 1792.

was to run along the banks of the Brandywine.* A second was to join the waters of the Delaware and Schuylkill.† The third wound among the hills which lay between the Schuylkill and the Susquehanna. Offers for the stock of this company began to be received early in December, 1791, and such was the eagerness of merchants to secure some that forty-six thousand shares were bid for in fifteen days. This was thirty-nine thousand more than could by law be taken. ‡

Still more remarkable was the experience of the Philadelphia and Lancaster Turnpike Company. The books were opened at the State-House, one morning in June, at eleven o'clock, and kept open till near twelve at night. It was then found that two thousand two hundred and seventy-six shares had been subscribed for, and, as each subscriber paid down thirty dollars on each share he took, the commissioners stowed away in their strong-box at midnight sixty-eight thousand two hundred and eighty dollars.# The names of the purchasers were then put into a wheel and six hundred drawn to form the company. ‖ A fourth canal was to take its water from Crum Creek. ^ A fifth was projected to pass through the Dismal Swamp. ◊ A sixth was to be dug from the Cooper to the Santee at a cost of fifty-six thousand pounds. ‡

Plans and surveys were made at South Hadley for a seventh. ↕ In New York two great companies were formed at Albany. The line of the Northern Navigation Company began at Troy, went thence to Lansingburg, and by way of Fort Edward to Lake Champlain. The canals of the Western Navigation Company were to admit boats drawing two and a half feet of water, and, commencing at Schenectady, were to end at Ontario or Seneca Lake. ‡‡

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* Independent Gazetteer, August 25, 1792.
† American Daily Advertiser, December 31, 1791.
‡ Independent Gazetteer, December 31, 1791.
# Gazette of the United States, June 9, 1792.
‖ American Daily Advertiser, June 7, 1792.
^ American Daily Advertiser, January 24, 1792.
◊ Independent Gazetteer, March 17, 1792.
‡ American Daily Advertiser, March 9, 1792.
↕ Independent Gazetteer, March 29, 1792.
‡‡ American Daily Advertiser, March 24, 1792.

The idea seems to have been first urged with vigor by a man bearing the name of Christopher Colles. Colles was an Irishman, and possessed in an eminent degree the rare ability, versatility, and thriftlessness that have made famous so many of his race. He began his career at Philadelphia by lecturing on pneumatics, hydrostatics, and hydraulics. The next year he was at New York entertaining a few hearers with his views on the navigation of inland streams. Then he undertook to make a steam-engine. When the revolution opened he taught the troops the principles of gunnery, and attempted to supply the city of New York with water. When the revolution closed, Colles began to urge on the attention of the Legislature a system of canals by which it would be possible to send a flat-boat from the Hudson to the Lakes. The proposal was presented in November, 1784,* and by way of trial one hundred and twenty-five dollars were voted him to remove some obstructions in the river Mohawk. So thoroughly was the work done that, in 1786, leave was granted to bring in a bill for the improvement of the whole stream. There the matter rested till Elkanah Watson took it up.

In the fall of 1788, and again in the fall of 1791, Watson rode through the rich valley of the Mohawk, beheld the waters of Seneca Lake, noted down in his journal the topography of the country, came back to Albany, put his thoughts on a canal in pamphlet form and gave them "to General Schuyler, at Lewis's old tavern in State Street." † In two days the paper was returned to him with a promise that Schuyler would do all he could to have the desired law passed. Meanwhile, Watson, under the name of "A Northern Centinel," addressed the Legislature through the press. With the address went a copy of his journal, a table of distances, an estimate of cost, and an account of the obstacles and risks to be met with. In March, 1792, the canal company was incorporated. In April the stock

* Proposals for the Speedy Settlement of the Waste and Unimproved Lands on the Western Frontier of the State of New York, and for the Improvement of the Inland Navigation between Albany and Oswego. Printed at New York by Samuel Laudon, 1785.

† History of the Rise, Progress, and existing Condition of the Western Canals in the State of New York, etc. Elkanah Watson, Albany, 1820, p. 19.

was on the market. But for three days not a share was subscribed to. At last some well-known citizens were induced to put down their names, others quickly followed, and before the year went out "five hundred men" were hard at work chopping, digging, and building locks.* At Boston the Middlesex canal was projected.† At Worcester plans were being discussed for a canal to join that city with the sea.

While the community was thus intent on plans for bettering communication by wagon and boat, one scheme of great promise was suffered to languish and die. For five years a number of gentlemen at Philadelphia had been expending money in the attempt to move boats by steam, and had met with success. The rude contrivance which, on the twenty-second of August, 1787, they showed to the members of the Federal Convention, had been greatly improved. Within a year the clumsy boiler was discarded for one of the tubular kind. The weight of the machinery was lessened by three tons, the friction of the parts reduced by one half, the twelve paddles on the sides replaced by three at the stern, and a new trial made. The day was the twelfth of July, 1788. Philadelphia and Burlington were the two points between which the vessel steamed, and on the appointed morning crowds went out from the towns near the Delaware to behold the craft pass by. The men of Frankford and upper Philadelphia county stood upon Point No-Point, where Bridesburg now is. The people of Bucks were at Dunk's Ferry, and saluted the boat with discharges from one of the cannon which, on the

* "They had been opened three days by the commissioners at the old coffee-house, and not a share was subscribed. I considered the cause hopeless, called on my friend [I think it was] James Watson, Esq., and induced him, with much persuasion, to subscribe twenty shares; from that moment the subscriptions went on briskly." New York city is referred to. Ibid., p. 85. "On my arrival at Albany, the commissioners in that city had kept the books open several days at Lewis's old tavern in State street, and no mortal had yet signed to exceed *two shares*. I immediately subscribed seven in each company . . ." Ibid., p. 85.

† The canal was begun in 1794 and finished in 1803. The superintendent of the work was that Loammi Baldwin to whom we owe the variety of apple known as the Baldwin pippin. Memorial History of Boston, 1630–1880, vol. iv, p. 112, note. The engineer was named Weston, and the first man, it is said, who ever used a Wye level in the United States. Stuart's Civil and Military Engineers of America, p. 129.

night of the famous surprise at Trenton, Colonel Reed had failed to carry to the Jersey shore. But nowhere was the shouting so great as on the green bank and the upper wharf at Burlington. There the voyage was to end, and there, when scarcely thirty perches from the wharf's head, the boat stopped suddenly and anchored in the stream. A pipe of the boiler had burst. Deeply grieved and humiliated, the few members of the company on board went ashore, and that evening the steamboat, destitute of sail, drifted slowly and helplessly down the river on the tide. The crews of sloops and snows passed in the morning jeered as it floated by, and gave no heed to the calls of the inventor for help. For many weeks men who held stock in the company were greatly annoyed by the jokes and pleasantries of their friends. Some, indeed, grew disheartened, abandoned the enterprise, declared the folly of the scheme was now proved, and that nothing could induce them to give another shilling to its support. The more sanguine kept on, replaced the broken pipe, ran the boat to Burlington and back, formed a new company, and before spring found forty gentlemen willing to purchase forty new shares at ten pounds each.

With these funds more experiments were made. The condenser was found to be defective. The air-pump was too small. The cylinder had to be much enlarged. When the machinery was pronounced as perfect as the builder could make it, the projectors selected a day for another experiment. But a great storm arose. The trial was put off, and that night the boat took fire and was sunk. Still the company persevered. The vessel was raised, the damage repaired, and late in December, 1789, the test made. Every man who timed the boat admitted that a measured mile was traversed in seven minutes and a half. Six months later the steamboat began to run as a packet from the Arch Street ferry. The public were informed that the vessel would go up the river to Burlington, to Bristol, to Bordentown, and Trenton on one day, and come back to Philadelphia on the next; that these alternate trips would continue through the week; that the fare to Trenton would be five shillings and to Bristol two and six; and that on Sundays it was proposed to steam down to Chester and return. From

June to September such notices continued to appear in the Pennsylvania Packet and the Federal Gazette.* Then all mention of the steamboat ceases, and it is quite likely no more trips were made. The company by that time was deeply engaged in another venture which speedily brought ruin. A law had been passed giving to John Fitch the sole right to use the steamboat in Virginia if, before the ninth of November, 1790, two boats moved by steam should be upon the waters of that State. To secure this monopoly ten pounds had been demanded of each member of the company, and a second boat begun. Indeed, it was fast nearing completion, when a great storm swept it from the moorings and drove it far up on the sands of Petty's Island. To drag the vessel off was the work of ten days. To comply with the Virginia law was then impossible, and the company soon abandoned the scheme, the engine, and the boat. During four years the machinery gathered rust and dirt. What remained was then sold at auction to the highest bidder.† Twelve months later Fitch, still hopeful, astonished the people of New York by exhibiting a steamboat on the waters of the Collect Pond. ‡ The boat was a ship's yawl; the rudder an oar; the propeller a screw; the boiler a ten-gallon iron pot with a plank cover stoutly fastened on.#

While Fitch and his company were attempting to introduce the steamboat at Philadelphia, another company of gentlemen in the same city were preparing to mine what in the East is now used by steamboats as fuel. That there were in the country rich deposits of coal had been known for over forty years. Consumers at New York had long been supplied from the Tiverton mines in Rhode Island. Half the fires at Pittsburg

* Federal Gazette, June 14, 17, 19, 22, 24, July 26 and 30, August 2, 4, 11, 12, 13, 14, 18, 19, 20, 21, 26, 27, 28, and September 10, 1790. Also Pennsylvania Packet, June 15, August 11, 26, 28, and September 4, 1790. See, also, New York Magazine, 1790, p. 493, and Fitch's Manuscript Journals in the Ridgway Branch of the Philadelphia Library. Also Westcott's Life of Fitch, pp. 285–287. De Warville describes the boat in New Travels in the United States of America. A writer in the Franklin Gazette, January 17, 1791, ridicules it.

† Aurora, August 18, 1795.

‡ Documentary History of New York, vol. ii, p. 1047. Also Life of John Fitch, Westcott, pp. 361, 362.

This experiment was made in 1796.

were fed with fuel dug from a high bluff before the town, over which even then hung black clouds of soot. So early as 1789 the yield of the famous Virginia beds near Richmond sold at Philadelphia for a shilling and sixpence a bushel. The demand for it was slight. Nevertheless, when it began to be whispered about in 1791 that stone coal was to be had nearer home, a company to mine it was quickly formed. The story is told that as a hunter came stumbling down the Mauch Chunk mountain-side in the darkness and the rain, he fell, and found beside him what seemed a large black stone. He lifted it and carried it to one Jacob Weiss, whose cabin was on the site of what is now Mauch Chunk. Weiss sent the block to Philadelphia, where it was at once pronounced anthracite coal; the Lehigh Coal-Mine Company was formed without a charter, the land at Summit Hill was purchased, and ten thousand acres were taken up under State warrant. Four men were soon at work digging. But wood at Philadelphia was plenty and cheap; no roads led out to the mines, the streams were unnavigable, and the Lehigh Company abandoned the enterprise.*

Of the scores of companies which thus sprang up, few ever accomplished their aim. Nor is it indeed likely that any among the thousands of men who bought up their stock with eagerness ever for a moment supposed they would. They afforded to many new opportunities for the gratification of a wild spirit of speculation, and that was enough. Stocks and scrips had become as much articles of daily traffic as barrels of flour or hogsheads of Jamaica rum. In the three great cities a class of men had already appeared who made it their business to buy and sell stock on commission. But, as they demanded a liberal compensation for their services, small purchasers were forced to wait till the day for public sales came round. Then they went by scores to the coffee-house, and in a few minutes every share of stock offered was bought. The list at first was a short one. Three kinds of government scrip, shares of three or four canal companies, one or two turnpike companies, and six banks completed it. But it grew rapidly, and every few months saw a new name added. Many

* The earliest mention of this mine is in the New York Magazine, February, 1792.

corporations that had once supported themselves by lotteries now began to do so by issuing scrip. Many more were formed for the furtherance of all manner of useful and philanthropic purposes. Bridge companies, population companies, land companies, banks, followed each other in rapid succession. In truth, since the spring of 1791 a bank had been started in Rhode Island, and a second at New York. The prosperity of the old one had been immense. All the discounting, all the loaning, all the mortgaging for thirty miles around, was done in its rooms. In the dullest of times this business reached proportions which amazed men accustomed to transactions in which great sums were involved. But the instant the community became afflicted with scripomania, the bank could not supply one tenth of the money that was wanted. The rate of discount rose till more was demanded and paid for a loan for thirty days than had ever before been given for a loan for a year. The directors and stockholders were believed to have amassed fortunes, and the bank became the moneyed monopoly of the city, grinding the poor, it was said, and screwing the rich. Such prosperity soon bred jealousy, and jealousy a rival.

One morning early in January a notice was put up at Corre's Hotel announcing the plan. It was to be known as the Million Bank. The capital was to be divided into two thousand shares of five hundred dollars each, and part payments were to be made, in gold and silver, on the third Mondays of January, May, and September. A few days later the books were opened, and in twelve hours twenty-one thousand seven hundred and forty shares were taken. This was more than ten times the capital of the bank. A meeting of the subscribers was therefore held and the subscriptions cut down. All who bid for thirty shares, it was decided, should get three; for less than thirty and more than nineteen, two; under nineteen, one.* The next week a second notice appeared urging all the dis-

* American Daily Advertiser, January 29, 1792. In a poem on the bank the public are urged to subscribe at once.

"All you, then, who covet delicious repose,
Come quickly before the subscriptions all close;
With your cash in your hands to Corre's all flock,
And purchase in deep, very deep, of the stock."

Bank upon Bank. American Daily Advertiser, January 27, 1792.

appointed ones to be of good cheer, as a plan for a third bank was on foot with a capital large enough to accommodate all.

Such news, however, was not received by every one with manifestations of delight. A large and a very respectable part of the community heard it with sorrow and dread. Theatres and lotteries and speculation, they complained, were the besetting sins of the times, and would surely bring down a Divine curse on the land. No government could be stable, no country could be prosperous, no people could be happy, where men sought to make money without giving a return in honest toil. Was it likely the farmer would follow his plough, or the smith labor all day at his anvil, when he saw men about him on every hand laying up great stores of wealth by buying and selling bits of paper which represented little else than a well-planned scheme? The man who bought stock to encourage manufactures, or to open up turnpikes and canals, was a public benefactor; but the man who bought stock to-day that he might sell it at an advance to-morrow, was no better than the hardened wretches who nightly sat around the A. B. and E. O. tables of a low den.

Many admitted this, but took a hopeless view of the matter. It was useless to seek a remedy, they said; the evil must be suffered to run its course. If the opinions of the people were divided on the matter, then a law thrown into the right scale would make it preponderate. Unhappily, this was not the case. The sentiments of the people were all one way. It was idle to try to resist the general current.

While one set of moralists were thus mourning over the sins of the age, another set were establishing the First Day or Sunday-schools. These excellent institutions were but lately come in, and bore little resemblance to the great and prosperous schools which in ten thousand towns and cities are now attended by scores of children on every Sabbath day. They were provided with no libraries; they were furnished with no song-books; they were under the control of no church; they were not connected with any religious sect. Indeed, it was long before bigots who passed in the community as men of sense ceased to denounce them and stopped reviling their

founders as Sabbath-breakers whom God-fearing people would do well to shun. Yet the plan on which they started was most praiseworthy. Early in 1791 some earnest gentlemen at Philadelphia, who had the welfare of the poor much at heart, formed the design of educating the children of laborers and mechanics, for there were then no free schools in Pennsylvania. But a great difficulty met them at the start. Should instruction be confined to week-days, many promising lads would never be able to attend. Some were apprenticed to shoemakers or masons; some were busily employed in the factories with which the city began to be studded; some were engaged in home-work, which their parents would not suffer them to leave. But on the first day of the week none were busy. Then the apprentice, arrayed in his best, followed his master to church or sauntered idly through the fields. The factories were shut; no home labor was done. It was, accordingly, wisely chosen as the school day, and, that the most rigid precisian might take no offence, it was determined that the scholars should be taught to write and read from the Bible or books of a moral kind.

The first Sunday-school out of New England, of which any record has come down to us, was that kept by the Pennsylvania Dunkers at Ephrata. It began in 1740, and ended in 1777, when the battle of Brandywine turned the school-house into a hospital for wounded troops. That of Frances Asbury, in Hanover county, Virginia, came next; but the sect of which he was the great bishop took no action in its behalf for seven years. At last, in 1790, the Methodist Conference resolved to open schools on the Sabbath for the benefit of the children of the poor. Three months later a convention of Universalists met at Philadelphia, and, before breaking up, recommended each church to establish one wherein on Sunday children should be taught to read, write, cipher, and sing psalms. But something more than the votes of a few pious gentlemen was needed to put the schools in operation. This the energy of Dr. Benjamin Rush supplied. With a liberality not common in his day, he determined to have them dependent on the support of no church or creed. He went for advice to Bishop White, of the Episcopal Church, and to Mathew Carey, the printer, and the

most influential of all the Roman Catholics then living in the city. They liked his plan. A general meeting of citizens was called, and in January, 1791, "The First Day or Sunday School Society" of Philadelphia began to exist.* Ten dollars paid to the treasurer procured a life-membership. A payment of one dollar entitled the giver to be considered a member for one year. Many dollars were promptly sent in, and the first meeting of the subscribers was held on the fifth of January, 1791, at the academy of Mr. Joseph Sharpless on Second street. In March the first non-sectarian Sunday-school in this country commenced, and so great was the attendance that a second was started in the following May. Before two years had passed a third was opened, and, as the society announced with pleasure, more than three hundred and twenty scholars came regularly every Sabbath day. During the same time five hundred others had been taught to read and write, and had left.† Such good work, it was felt, deserved to be encouraged, and as the State was spending money on mad-houses, prisons, and turnpike roads, the Sunday-school Society applied to the Legislature for aid. But, when the matter came up for debate, Albert Gallatin moved a committee to inquire whether it would not be well to have free schools throughout the State.‡ The committeemen took two months to deliberate, and then brought in a curious report.# It was their opinion that a school ought to be established at each county town; that it should be supported by the arrearage-of-taxes fund and by a small charge; that children who could read and write should be admitted, and for three years taught geography, history, English grammar, and the elements of mathematics.‖ But

* A like measure, meanwhile, was on foot at Boston. "A Sunday-school established by the liberal subscription of a number of patriotic gentlemen of this metropolis was opened on Sunday last" (April 17). Columbian Centinel, April 20, 1791. In 1797 another Sunday-school was begun in Samuel Slater's cotton-mill at Pawtucket.

† My authorities for these facts are the notices of the society in the following papers: Gazette of the United States, January 5, 1791. American Daily Advertiser, May 13, 1791; January 19, 1792; February 7, 1792. General Advertiser, February 23, 1791. Independent Gazetteer, August 25, 1792; January 19 and April 13, 1793.

‡ American Daily Advertiser, January 19, 1792.

Ibid., March 2, 1792. ‖ Ibid., March 2, April 8, 1792.

the Quakers stood out against the scheme manfully, and it failed.

The year by this time was well advanced, and the attention of the people began to be drawn to the visit of the fifty Indian chiefs and the approaching elections. A President and Vice-President were to be chosen for the United States. A Governor was to be elected in the State of Pennsylvania and in New York.

Meanwhile, Congress had been busy with a law regulating the presidential succession and prescribing the manner of counting the electoral vote. Whether the electors should be chosen by the Legislatures or the people was a matter each State decided for itself. But Congress now required that all electors should be appointed within thirty-four days preceding the first Wednesday in December, 1792, on which day they were to meet in their respective States and vote. The voting was to be done by ballot. Each elector was to write on a piece of paper the names of two men, but make no mark or sign to show which name he wished should be that of the President, and which that of the President's Vice. The ballot taken, the law provided that three certificates of the votes cast, and for whom cast, must be prepared. One must be sent by a special messenger to the President of the Senate before the first Wednesday in January next ensuing. A second must be sent to the same officer by post. The third, for safe keeping, must be given to the judge of that district in which the electors met. Should there be no President of the Senate, the certificates must be sent or given to the Secretary of State. The day named for counting the electoral vote in Congress was the second Wednesday in February. Should the President and Vice-President both die, resign, or be removed, the President of the Senate, or, if there were none, the Speaker of the House, should act as President till a new election took place.

The law was approved on the first of March, went into effect at once, and a few months later the first election under it took place. But a presidential election then bore little resemblance to that contest which in our time hinders legislation, disorders business, and distracts the whole country for six months every four years. There were no primaries, no

conventions, no formal nominations, no national committees to manage the campaign. Indeed, in some of the States, the people had no more to do with the choice of a President than they now have with the election of the men sent to the Senate of the United States. Not an elector was pledged. Everybody knew, however, that when the first Wednesday in December came each of the one hundred and thirty-two would write down on his ballot the name of George Washington, with the intent of making that great man again President of the United States. There unanimity would stop, for electors can not vote for President and Vice-President both living in the same State with themselves. The twenty-one electors of Virginia, therefore, must cast their second votes for a citizen of some other State, and for whom, it was asked, should they cast them? The second name on the ballot of every Federalist would surely be that of John Adams. But the electors of Virginia would not be Federalists. They would be Federal-Republicans, and by Federal-Republicans four names were held in esteem. The claims of George Clinton and Thomas Jefferson were beyond dispute, nor could any one say that Thomas Mifflin and Aaron Burr were unworthy of the office. But of the four it became apparent, as October drew on, that Clinton would be the most likely to secure the second place. All Federal-Republicans were therefore urged to join his name with that of Washington in their votes.

Men who hated Mr. Clinton would, the Republicans said, talk much about his opposition to the Constitution. He had indeed opposed the Constitution. But it had since been amended, and he was now as stanch a supporter of it as could be found in the land. Mr. Clinton's opinions had always been within the range of the Republican theory. His maxim had always been to keep the Government connected with the people.*

"George Clinton a Republican!" exclaimed the Federalists. "Was there ever such effrontery? Do his friends suppose the memories of freemen are so short that they can not go back four years? It is amusing to hear these men solemnly protesting that they would on no account tamper with

* American Daily Advertiser, November 14, 1792.

the Constitution. They are strictly Federal. They would not hurt a branch, nay, not so much as a twig, of the tree of liberty. Yet they are supporting a man who did his best to lay the axe at its very root." * Clinton a friend of the Constitution, indeed! Did he not defy the Government? Did he not kill the old impost? Did he not bitterly oppose the Constitution? Did he not go to all extremes, even to the verge of drawing the sword, to keep New York out of the union? Did he not become so violent, in short, that his own slavish followers shrank in terror from his standard when he was willing and ready to raise it against the people of the United States? † Yet this man is held up to us as the model of a pure Republican. It is the fashion to say that he will be a friend to the Constitution, that his opposition ceased when the amendments were adopted. Will any unbiased mind believe this? Can any man in his senses really believe that Clinton would obey the Constitution of the United States after wantonly violating the Constitution of New York State and seizing a Governorship to which he was not chosen? Whence comes this opposition to Mr. Adams? Does it come from States abounding in Republican institutions? From States where the means of gaining knowledge are so scattered that no one need grow up in ignorance? No, it comes from Virginia and North Carolina and South Carolina, where a schoolhouse is as great a rarity as a slave is in New England. And who are the men who cry monarchy and aristocracy? Not one among them can point to the time, the place, and the occasion when he has ever suggested or supported any plan for the benefit of the people he affects to love so well.

It is a wise maxim which tells us not to throw away dirty water till we have clean. The present excellent Government has brought us out of the depths of misery and placed us on the summit of prosperity and national honor. We know what a Federal Government can do. We do not know what a Republican Vice-President may do. Is it wise, then, to put away Mr. Adams and accept Mr. Clinton? No! and every elector who has the good of country at heart will see to it that no such ill-timed change is made.

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* Gazette of the United States, December 5, 1792.

† Ibid., November 24, 1792.

There is a great hue and cry just now, said the Republicans, about Federal men and measures. It is time something was said about Republican men and measures. When the present dispute is calmly reviewed, the state of the matter will be found to be simply this: Mr. Adams ought not to be re-elected because the Constitution and the spirit of the people are strongly Republican, while he is strongly monarchical. He ought not to be re-elected because he has called the Constitution a promising essay toward a well-regulated Government; because, since he took the oath of office, he has labored steadily to disgust the people with the present form of Government, and because in his "Defence" and his "Davila" he has done nothing if he has not paved the way for Kings, Lords, and Commons.

This mode of attacking Mr. Adams, the Federalists replied, with garbled sentences from his writings, is like that of the atheist who asserts he can prove from passages in the Bible that "there is no God." *

The voting of the electors took place on the appointed day. But so slowly did news travel from State to State that the year closed and Kentucky was still unheard from.† It was well known, however, that the Federalists had triumphed, and that Mr. Adams had been their choice. ‡

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* Gazette of the United States, November 28, 1792.

† Independent Gazetteer, December 29, 1792.

‡ One hundred and thirty-two votes were cast. Washington received one hundred and thirty-two, John Adams seventy-seven, George Clinton fifty, Thomas Jefferson four, Aaron Burr one. The electoral vote of each State was—

New Hampshire	6	Delaware	3
Vermont	3	Maryland	8
Massachusetts	16	Virginia	21
Rhode Island	4	North Carolina	12
Connecticut	9	South Carolina	8
New York	12	Georgia	4
New Jersey	7	Kentucky	4
Pennsylvania	15		132

Clinton got the unanimous vote of New York, Virginia, North Carolina, and Georgia, and one vote from Pennsylvania. Jefferson got all his votes from Kentucky. South Carolina gave one to Burr. The rest were all for Adams.

CHAPTER VIII.

THE STRUGGLE FOR NEUTRALITY.

One afternoon in December,* while the election returns were still coming slowly in, the streets of Philadelphia were filled with groups of excited men.† They were at first supposed to be Federalists rejoicing over the reports from New England, which, it was hoped, would come by that day's mail. But it was soon observed that none were more noisy and joyful than the Republicans. "It is glorious!" they cried, "it is glorious! The allied armies are soundly beaten. The Duke of Brunswick is in full retreat. Dumouriez has saved the Republic. Ça ira! Ça ira!" Never had there been such excitement since the great day, five years before, when Pennsylvania came under the new Federal Roof. Some hurried to the churches and rang the bells with a will. Others put up the shutters of their shops and hastened into the streets to talk of nothing but Dumouriez and Thomas Paine and the great French victories. When night came the inns and taverns were full of tipsy revellers singing and shouting and drinking toasts. No song was then thought more patriotic than "God save Great Washington," which was nothing else than "God save the King," with new words. But a few jolly gentlemen, who had some knowledge of the French tongue, sang, amidst thunders of applause, the Republican song, "Ça Ira." These words, as all true patriots loved to remember, fell from the lips of Franklin in the trying times of 1777. ‡ When the news of the

* December 14, 1792.

† American Daily Advertiser, December 15, 1792.

‡ In the Chronique de Paris, Mai 4, 1792, Anarcharsis Clootz asserts that the expression "Ça ira" is of American origin, and that Franklin, "législateur de la

disastrous retreat through the Jerseys and the miseries of Valley Forge reached France, many good friends to America began to think that now indeed all was lost. But the stout heart of Franklin never for a moment flinched. "This is indeed bad news," said he, "but, ça ira, ça ira, it will all come right in the end." Old diplomats and courtiers, amazed at his confidence, passed about his cheering words. They were taken up by the newspapers; they were remembered by the people, and, in the dark days of the French Revolution, were repeated over and over again on every side, and made the subject of a stirring song which, till the Marseillaise Hymn appeared, had no equal in France.*

At New York the joy of the people was yet wilder, and as each packet that drew up at the wharf confirmed the news, it was determined to give a public expression to their feelings. The twenty-seventh of December was selected as the time, and the whole day was devoted to feasting and bell-ringing and firing of cannon. When evening came, the Society of St.

Delaware," brought it in. A few months later, September 21, 1792, the Moniteur Universel says: "Nous croyons utile de publier les réflections suivantes de M. Condorcet prises, dans la Chronique. Franklin était à négocier à Paris pour les intérêts de son pays, lorsque les milices américaines nouvellement formées soutenaient sur les bords de la Delaware les efforts des troupes les mieux disciplinées de l'Europe. Lorsqu'on lui annonçait la nouvelle de quelques revers essuyés par ses concitoyens, il repondait sans s'émouvoir: Cela est fâcheux, mais ça ira." See Rosenthal's America and France, p. 263.

* The words of the song are:

ÇA IRA!

"Ah! ça ira, ça ira, ça ira,
Le peuple en ce jour sans cesse répète, ah!
Ah! ça ira, ça ira, ça ira,
Malgré mutins tout réussira,
Nos ennemis confus en restent là
Et nous allons chanter Alléluia.
Ah! ça ira, ça ira, ça ira,
Quand Boileau, jadis du clergé, parla,
Comme un prophète il a predit cela.
En chantant ma chansonnette avec plaisir, on dira,
Ah! ça ira, ça ira, ça ira,
Malgré mutins tout réussira.
Ah! ça ira, ça ira, ça ira."

American Daily Advertiser, June 27, 1792. Independent Gazetteer, June 30, 1792.

Tammany lit up its great wigwam, and the members of the order spent their time till far after midnight singing songs* and drinking toasts to the French Republic, to the Fifteen States, to Dumouriez, to Pétion, to Thomas Paine, and to the American Fair, who, it was hoped, would ever keep their favors for the Republican brave. Meanwhile the Society of Mechanics and Tradesmen held a like meeting at their own hall.†

As the accounts of these proceedings reached Boston, the citizens, who sympathized heartily with France, determined to outdo them. They would celebrate the birth of the French Republic and the expulsion of her invaders with a "Civic Feast" the like of which Boston had never seen. Money was instantly collected.‡ Committees were appointed, managers chosen, and the announcement soon made that on Thursday, the twenty-fourth of January, 1793, the feast should be held. One earnest Republican expressed the hope that, as rank, the invidious progeny of aristocratic zealots, was abolished by the title citizen, the joy of the metropolis would show itself on the auspicious day in cordial hilarity.# Another wished that every citizen might be seen wearing the national cockade of France.‖ On the morning of the feast-day the rising sun was welcomed with a salute from the castle and a discharge of cannon in the town. At eleven a huge ox, that had been roasting during the whole of the previous night, was placed upon a high car, and, preceded by twelve citizens in white frocks and armed with cleavers, was dragged toward Boston. Behind

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* "Hark! hark! the joyful news is come!
Sound! sound the trumpet, beat the drum,
While merry bells resound;
Where freedom's sacred ensigns wave,
Supported by the free and brave,
There victory is found.

"By Hell inspir'd with brutal rage,
Austria and Prussia both engage
To crush fair freedom's flame;
But the intrepid sons of France
Have led them such a glorious dance,
They've turned their backs for shame."

† American Daily Advertiser, January 3, 1793.

‡ Massachusetts Mercury, January 17, 1793.

Ibid.

‖ Ibid., January 19, 1793.

it came a wagon heavy with eight hundred loaves of bread, and a second creaking under great hogsheads of Federal punch. A third followed, piled high with bread. A fourth, with punch, closed the procession, which set out from Ferry street, North end, went thence to the Federal stump, and, winding through the town, passed the house of Citizen Hancock, passed the Federal Meeting-House, and brought up at last on State street. As the revellers reached that spot, long known to the merchants and shippers as Oliver's Dock, they stopped and went through some mummery which, it was given out, changed the name to Liberty Square. Once in State street, the bread and meat, with huge beakers of punch, were distributed to the crowds. The fat ox, they were given to understand, was Aristocracy. The gaudy decorations were the titles of the political Hydra. The immolation of the beast on the altar of Democracy was a peace-offering to Liberty and Equality and the Rights of Man.* The feast over, the fragments were gathered up, and sent off to feed the poor in the almshouse and the jail. Some enthusiasts, having collected a handful of money from the merchants and tradesmen who jostled each other on the narrow streets, hastened off to the jail, liberated the poor wretches imprisoned for debt, and bade them breathe the air of liberty and share the rights of man.†

The afternoon was passed in feasting and making merry. The school-children were drawn up on State street, and, that they might be impressed with a lively recollection of the day, each was given a civic cake stamped with the words "Liberty and Equality." ‡ The populace were entertained with the sight of two balloons sent up from Liberty Square, and by a troop of boys bearing a flag inscribed:

"Brunswick's old Duke, with ninety thousand men,
March'd into France, and then *run out* again." #

The Citizen Mechanics sat down to as fine a dinner as the

* Massachusetts Mercury, January 26, 1793.

† Columbian Centinel, January 26, 1793.

‡ For a description of the Civic Feast, see Gazette of the United States, February 6, 1793; American Daily Advertiser, February 5, 1793; Columbian Centinel, January 26, 30, 1793; Massachusetts Mercury, January 26, 1793.

American Daily Advertiser, February 5, 1793.

cooks of the most renowned tavern could provide, and sang for the first time the new stanza of "God save Great Washington."* At Faneuil Hall the Lieutenant-Governor and the French Consul were entertained in a room made resplendent with obelisks and flags, broken crowns and sceptres, mottoes and cherubs, and a great eye of Providence, which, it was said, seemed to look benignly down on the scene of Love and Unity below. When darkness came on, a huge lantern was run up to the top of the liberty-pole, and threw its light over all the city and the ships that lay at anchor far out in the bay. On one side was rudely painted the ruins of the Bastile. On the other a prostrate British lion, and beneath him the wish that he might never rise till he did so in support of the liberties of mankind.†

And now the rage for civic feasts spread through all New England. Lexington, Roxbury,‡ Dorchester,# Cambridge,‖ Charlestown,△ Portsmouth, Watertown, and Plymouth followed hard upon each other in imitating Boston.

Both men and women seemed for the time to have put away their wits and gone mad with republicanism. Their dress, their speech, their daily conduct were all regulated on strict Republican principles. There must be a flaming liberty-cap in every house. There must be a cockade on every hat. There must be no more use of the old titles Sir and Mr., Dr. and Rev. It is time, exclaimed one of these ardent Republicans, it is time the use of these diabolical terms ceased. They are but imitations of the tottering remains of aristocracy. They are offensive to Republican ears. We cannot open a

* This stanza was:

"Next in my song shall be,
Guardians of Liberty,
Gallia's free Band.
O! may their LIBERTY,
Fix'd on EQUALITY,
With LOVE and UNITY,
Last to the END."

Independent Gazetteer, February 9, 1793.

† Massachusetts Mercury, January 26, 1793; Columbian Centinel, January 30, 1793.

‡ Ibid., February 6, 1793.

Columbian Centinel, February 2, 1793.

‖ Ibid., February 9, 1793.

△ Ibid., January 26, 1793.

letter but we are addressed as Dear Sir. We cannot go into the courts but we hear "his Worship the Mayor" or "his Honor the Judge." We cannot attend the Legislature, to see what the servants of the people are about, but we hear on every side "his Excellency the Governor," or "his Excellency the President," or the "Honorable Gentleman who spoke last." Let us stop this, go to France for a Republican lesson, put aside the absurd epithets of Mr. and Sir, and use "the social and soul-warming term Citizen."* This silly freak, of which a man of sense ought to have been ashamed to dream, was instantly taken up. At New York a newspaper editor made haste to beg his friends to address him henceforth as Citizen, and not as Mr., which was a short form of "Master."† At Boston every man was soon calling his neighbor Citizen and his wife Citess.‡ The word appeared scrawled on the letters dropped at the post-office; it stood at the head of memorials or addresses sent up to the Governor, and before the name of public characters mentioned in the Gazettes. It was used in the notices of deaths and marriages.# Tradesmen put it on their bills. It fell from the lips of judges as they sat upon the bench.

To cool men whose republicanism was of a less ardent kind this folly was infinitely diverting. To laugh at it, to scoff at it, to turn it into ridicule, in prose and verse, was long an amusement with many. One pretended to hold a grave discussion as to whether a woman should be called citess or civess.‖ A second objected to citess because it might be translated "a woman of the town."^ A third in this dilemma

* American Daily Advertiser, December 22, 1792; National Gazette, December 26, 1792; Gazette of the United States, February 6, 1793.

† Independent Gazetteer, February 9, 1793.

‡ In commenting on the use of citess, an editor observes that, "as the term citizen is, like the term man, of common gender, the term citess was from a patriotic pen never nibbed by the hand of grammar," and suggests civess. Massachusetts Mercury, January 22, 1793.

National Gazette, May 11, 1793; Massachusetts Mercury, January 22, 1793

‖ National Gazette, February 6, 1793.

^ "NO CITESS to my name I'll have, says *Kate*,
Tho' *Boston* lads *about it* so much prate;
I've ask'd its meaning, and our *Tom*, the clown,
Says, *darn it*, '*t means*, 'A woman of the town.'"
A Villager. Independent Gazetteer, March 30, 1793.

suggested the use of biped. The word had, he said, many good qualities to recommend it. It was simple, fitted people of every country, was both male and female, was not of aristocratic origin, accorded with truth, and was free from flattery.* Still another urged that a woman should be called "neighboress." "Cite" was too puerile. Lady was used by women of low character.† Another observer remarked, sourly, that men who could not shape their Republican mouths to say Sir or Mr., had no trouble in rolling out such sentences as, the Right Worshipful Grand Master, and the Most Worshipful Grand Secretary of the Grand Lodge of Free Masons.‡

But the friends of the French Republic were impervious to ridicule. Their heads were turned. They forgot for a time to murmur against the Bank and the Indian war, and could talk and think of nothing but cockades, liberty and equality, and the rights of man. One day the women of Menotomy held a meeting, tricked themselves out in liberty-caps and French cockades, sang patriotic songs, drank toasts, and ate civic cake.# Another day some truckmen at Philadelphia saw the constable dragging an unfortunate sailor through the streets. Their blood boiled at the sight. Instantly leaving their trucks, they hastened to ask why their fellow-citizen was deprived of his liberty. They were told he was a debtor. In a moment they collected four dollars, the amount of the debt, set him free, gave him a few pence, and told him to go to the nearest tavern and drink to liberty, equality, and the rights of man, which the sailor was nothing loath to do.‖ Even the design on the cents, which began to appear early in March, was offensive to all friends of France. One grumbler remarked that the chain of fifteen links was a bad omen for liberty. Another took up half a column in a newspaper to prove that the true emblem of liberty was not the head of Medusa, but a cap and spear.

Men of all parties meantime were torn between hope and

* Gazette of the United States, February 6, 1793. See, also, some remarks of Peter Crackbrain, in American Mercury, February 18, 1793.

† Independent Gazetteer, March 9, 1793.

‡ Gazette of the United States, April 20, 1793.

Independent Gazetteer, March 30, 1793.

‖ Independent Gazetteer, February 9, 1793.

fear. At New York for three months not an entry had been spread upon the books at the Tontine Coffee-House by a ship-captain from England or France. The few accounts, therefore, of the state of affairs in Europe that had reached the States, came through unreliable sources, and were as conflicting as they were numerous. Some sea-captains had heard this or that rumor at some port of the West Indies. Some merchant had received a letter from a friend at Jamaica, or had talked with a man who had obtained his information from the Spaniards at New Orleans. The cause of this strange stoppage of the packets was every day the subject of much dispute at the coffee-houses. At one moment it was believed that an embargo had been laid in Great Britain on all ships. At the next it was maintained that the high bounty of nine guineas a man had lured American sailors into the service of Britain, and that American captains could not keep crews on the decks of their ships. But the favorite theory was that general impress warrants had been put out, and that, until American seamen could clear themselves of the charge of being British subjects, no vessels could quit England for the United States. What was doing beyond the Atlantic was in consequence long the subject of surmise and guesses. The Prussian King, it was said, had been soundly beaten by Custine. The late French King had lost his head. The French Republic had declared war on England.

At last all doubts were put at rest, for, early one morning in April, a British packet was discovered coming up the harbor of New York. In a few minutes a quarter of the city was at the Battery. Every man who expected a newspaper or a letter could scarce restrain his impatience till the mail-bags were opened. Then, as the news spread, alarm went with it. The extreme Republicans, indeed, became more violent and clamorous than before. But great numbers of their less violent brethren deserted them and came over to the side of Government. While there was no near prospect of the country becoming involved in strife, many men of sense and temper who sincerely sympathized with the French, had rejoiced over their victories, had put on the cockade, had gone to civic feasts, had called their dearest friend citizen, had sung Ça Ira,

and had railed at the Government for its lukewarmness toward the young Republic. The moment, however, they heard that France had beheaded her king, and was at war with England and with Spain, affairs began to wear a new aspect. To suffer Frenchmen to buy arms, to purchase provisions, to fit out privateers, to raise troops, to enlist sailors for her frigates, would now be construed into a declaration of war against England and Spain. And what such a declaration meant was dreadful to think of. With Spain in full possession of the Mississippi, with the Indians on the war-path, with the whole western country in a ferment, with a British garrison at Detroit, at Niagara, at Oswego, on the shores of Lake Champlain, the United States would be scarce able to defend herself. To help France would be out of her power. Millions would be added to the public debt. Trade, which for four years past had been rapidly growing, would be destroyed. Exports would stop. Prices would fall. Business would be ruined, and all for what? That an ally might be aided. But had that ally a right to demand such a sacrifice? She had defiled her good cause with blood. She had made of liberty another name for license, and was fast reducing all men to an equality by cutting off the head of each citizen who rose above the mass.

To count up the manifold evils of a war was easy. But to point out the narrow and tortuous path by which they were to be shunned was hard. By the treaty of alliance, the United States had, in the most express and solemn terms, guaranteed forever the French possessions in America. By the treaty of commerce the ports of the country were opened to the privateers and prizes of France, a shelter which her enemies were denied. No sooner, therefore, did the news reach Washington, then at Mount Vernon, than he hastened with all speed to Philadelphia and summoned his cabinet for advice. Sixteen questions were asked them.* Was it wise to assemble Congress? Should he forbid the citizens of the United States to meddle in the war? Should he declare neutrality? Were the treaties made with France when a Kingdom, binding now that she had become a Republic? Did the treaty of alliance apply to an offensive war? Was France engaged in

* April 18, 1793.

an offensive war? Should a minister from the Republic be received?

The last question was most timely, for a minister had already landed on our shore. On the eighth of April, while the printers at Philadelphia were putting into type the news just received from England, a frigate sailed past Sullivan's Island and dropped anchor in Charleston harbor. No flag was needed to make known her nationality. Her lines, her sails, the liberty-cap that hung from the foremast head, the *bonnet rouge*, and the letters R. F. that adorned the quarter-galleries, showed at a glance that the vessel belonged to the French navy. She was indeed L'Ambuscade, a frigate of thirty-six guns, Citizen Bompard commanding, and had come out from Rochefort with Citizen Genet, the new French Minister to the United States, on board.*

The same day that Genet's arrival at Charleston was announced in the papers at Philadelphia, Washington put forth his proclamation of neutrality.† He called on all good citizens to take no part in aiding or abetting either of the belligerent powers. He warned them that if they did, for every act done within the jurisdiction of the United States they should be prosecuted to the full extent of the law. When the proclamation reached Charleston it had already been violated a dozen times. Scarcely had Genet landed amidst the shouts of the mob and been welcomed by the Governor, when he began his work. He had not as yet presented his credentials; he had not been recognized by the President; he had not even received a formal transfer of the papers and books of the minister he came to succeed. Yet this man had the effrontery to do acts which, had they been done by the President, would have thrown the whole country into a rage, and have been denounced as a violation of the rights of man. He started out by commanding each French consul in the United States to act as a court of admiralty, for the trial and condemnation of such prizes, as French cruisers might bring to port. He then went on to provide cruisers to bring in prizes, and in a few weeks his courts were hard at work. Two swift-sailing vessels were instantly bought, armed, equipped as privateers, named the Citizen Genet and the Sans Culottes, manned with American

* American Daily Advertiser, April 22, 1793. † April 22, 1793.

sailors, and dispatched to wage war on home-bound British merchantmen.

With so much speed were these things done that, on May first, twenty-three days after Genet entered Charleston, Jefferson received from the British Minister a long memorial complaining of the Frenchman's acts. Guns and ammunition, the paper set forth, were being purchased and sent to France. The French Consul at Charleston had condemned as prize a British vessel taken by a French frigate. Ships had been fitted out at Charleston, manned by American citizens and commissioned to cruise against nations at peace with the United States. A vessel owned by a British merchant had been taken by L'Ambuscade within the jurisdiction of the United States. To each of these complaints Jefferson returned answer as best he could. The citizens of the United States had, he said, a right to make and vend arms. If the English seized the muskets on their way to France, the makers had no one to blame but themselves. They had been duly warned not to do such things. The decision of the Consul in the matter of the prize sent to Charleston was, of course, null; but the Government did not view it with indifference. The capture of The Grange was, indeed, a most flagrant insult to the United States.

It should seem that, shortly after the landing of Genet, L'Ambuscade set sail for Philadelphia. On the way she fell in with numbers of British merchantmen richly laden with the rum, the coffee, the cocoa, and the hides which then made up the cargoes of half the vessels trading at the West Indian ports. A few had outsailed her and escaped. Some struck their colors, and were sent in charge of prize-masters to the nearest harbor on the Atlantic shore. Four went to Charleston; one went to New York; one accompanied the frigate as, on the morning of April twenty-fifth, 1793, with the English flag flying from her mast, she passed between the capes and entered the waters of Delaware Bay. Just before him, and hard by the spot known to the pilots as the Buoy of the Brown, Bompard espied a British merchantman, The Grange, riding at anchor, and waiting till wind and tide served to carry her out to sea. The Frenchman came within two miles of The Grange, when he hauled down the English colors, sailed to windward,

and ran up the flag of France. The Grange ran up the English jack, and a moment after a solid shot came crashing through her rigging. The English captain then struck, and his vessel was sent up to Philadelphia as a prize.* When this piece of "Gallic insolence" became known to Washington, he laid it before the cabinet, and Jefferson was soon bidden to say that The Grange must be restored to her owners.

And now two other prizes appeared. They had been sent in by the privateer Citizen Genet, which on May fifteenth sailed up the Delaware, anchored off the Market street wharf, and saluted with fifteen guns.† The next day Genet himself arrived. Prudence had led him to come on from Charleston by land, and his journey had been one long ovation. At every town and hamlet through which his route lay, stanch Republican patriots who detested the use of Mr. and looked upon every mark of public respect for Washington as a remnant of monarchy, now came forth by hundreds to meet the French Minister and overwhelm him with invitations to civic feasts. They could hardly contain their anger when they read of the balls, the speech-making, the toast-drinking, and the bonfires with which the Federalists celebrated the twenty-second of February. But no sooner did Genet enter their town than every bell began to ring, every throat grew hoarse with shouting, and the Minister, escorted to the best inn by a cheering multitude, was presented with an address and regaled with a civic feast. Some few Republicans at Philadelphia, who were foolish enough to be consistent, suggested that he should be met without the city and receive three cheers. Such greeting, they thought, would be becoming in Republican citizens. But their friends heard the suggestion with jeers. Men mounted on fast horses were placed along the road by which Genet was expected to come, that timely notice might be had of his approach. Citizen Bompard undertook to notify the city of this pleasing event by the firing of three guns from L'Ambuscade. ‡ At the welcome sound, thousands of citizens

* American Daily Advertiser, April 27, May 3, 1793. See, also, the Deposition of Gilbert Macracken, pilot, before the Mayor of Philadelphia.

† American Daily Advertiser, May 16, 1793.

‡ "Les citoyens François & Américains qui se disposent à aller à Gray's

gathered at the State-House, marched off to Gray's Ferry, and brought the Minister in triumph to the town.* It was now the sixteenth of May. On the seventeenth he received addresses from the German Republicans, from the French Republicans, and from the Philadelphians who went in a great body, with their committee at their head, to present the paper. † On Saturday, the eighteenth, Washington recognized him as Minister from the French Republic. ‡

When he thought of the florid language and the bombastic sentiment of the addresses and compliments that had been showered upon him at every town on the road from Charleston, the dignified speech of Washington seemed cold and chilling. He came away, indeed, in a rage; but nothing that he heard so much offended him as what he saw. There were, he complained, in the parlor of the President, "certain medallions of Capet and his family." He smothered his anger for the time, however, and at night went to a dinner prepared for him at Oeller's Tavern. After the jollity had gone on some time, the toast of the United States was given. In a moment Citizen Duponceau was on his feet with a paper in his hand. It was, in the language of the day, an elegant ode. Pichon, a young Frenchman, wrote it. Duponceau read it, and, that none of its beauties might be lost on the company, Freneau was invited to translate and put it in print. The company were delighted. They cheered, shouted, and voted that so fine a poet and so true a Republican should be recommended to the attention of Citizen Genet. The recommendation had its effect, and Pichon came a few months later to be secretary to Genet's successor; and bore a prominent part in a famous outrage. When the applause was over, a delegation of sailors from L'Ambuscade entered, exchanged the "fraternal hug," and sat down in places that had been kept for them. Thereupon Citizen Bournonville sang the Marseillaise, the whole

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Ferry au devant du Citoyen Genet, sont avertir que quelques heures avant son arrivées il sera tiré trois coups de cannon du bord de la frégate L'Ambuscade, pour que les dits citoyens puissent être informé de son approche & disposer à partir immédiatement pour Gray's Ferry où ils se rassembleront." General Advertiser, May 16, 1793.

* General Advertiser, May 16, 1793.

† American Daily Advertiser, May 20, 1793.

‡ Pennsylvania Gazette, May 22, 1793.

company joining in the chorus. And now Genet sang two stanzas, "replete with truly patriotic and republican sentiments," from the French opera of "Renaud d'Aft."* When the last toast had been drunk, the red cap of liberty was placed upon the head of Genet, and passed thence to the head of each of the half-tipsy revellers, who, excited with wine and love of France, uttered such nonsense as came into his mind.† Four days later a diplomatic correspondence began which is, to say the least, the most remarkable in the annals of our country.

The minister's first request was for money. Two million three hundred thousand dollars of that borrowed from France was yet unpaid. It was indeed true that some time must elapse before it became due. But France was sorely pressed, and, if the United States would hasten the day of payment, every dollar of the amount should be laid out in the States in buying provisions to be shipped to St. Domingo or to France. He next sent to the State Department a paper, written in the style of school orations and prize poems, setting forth that the Republic had, out of good-will to America, thrown open all her ports and those of all her colonies, and now bade Americans come and trade therein as freely as the French. He further stated his authority to propose a new treaty, "a true family compact" on a "liberal and fraternal basis."

All these notes were duly answered. Jefferson told him that no treaty could be made without the sanction of the Senate, and that the Senate did not meet till late in the autumn. Hamilton plainly informed him that the United States had no funds, that its treasury was empty, and that, were the money-boxes full to overflowing, his request could not be

* A stanza and chorus are worth quoting:

"Should France from her lofty station,
From the throne of fair Freedom, be hurl'd,
'Tis done with every other nation,
And Liberty's lost to the world.

Chorus. "Liberty! Liberty! be thy name adored forever;
Tyrants, beware, your tottering thrones must fall;
One interest links the free together,
And Freedom's sons are Frenchmen all."

† For an account of the dinner, see American Daily Advertiser, May 23, 1793; General Advertiser, May 21, 1793.

granted. So unusual a proceeding at such a time would justly be construed by Great Britain as a wanton violation of the neutrality lately proclaimed. It would be aiding and abetting France in her struggle with a power at peace with the United States. Then Genet went into a passion. He would, he said, make the debt serve his turn withal, and to any man who would sell him provisions or supplies he would assign a part as payment for the goods. Against such conduct Hamilton firmly protested.

Meantime Genet had received from Ternant, late Minister from France, a copy of the complaints of the British Minister. On the twenty-seventh of May he sent a reply to Jefferson. About the purchase of arms he knew nothing. The Grange, though her cargo was of great value, he had caused to be given up. He had, he owned, commissioned some privateers at Charleston; but a French house bore the cost, and he had been careful to first lay the question of his right to do so before the Governor of South Carolina. The Governor had approved, and the vessels had put to sea. Some Americans went along; but they were men who knew of no law to hinder them. The treaty was all on his side. One article gave to the contracting powers the right to bring prizes into each other's ports. Did not this also include the right to condemn and sell them? Another article, the twenty-second, forbade either party to suffer the enemies of the other to fit out privateers in its waters. Did not this imply the right of either party to fit out privateers in the ports of the other? Americans found on board of a French vessel must be considered to have given up, for the time being, their citizenship in the United States and become sons of France.*

These arguments, shallow as they were, had much weight with Jefferson, who was at all times more French than American, and very tender of the feelings of Genet. They did not, most happily, move Washington. Scarcely was the Citizen Genet safely anchored off the Market street wharf when the President called a meeting of his cabinet. The debate over,

* See, for this correspondence, A Message of the President of the United States to Congress relative to France and Great Britain, delivered December 5, 1793.

orders were dispatched to the proper authorities in the sea-coast towns to seize all vessels fitted out as privateers, the French Minister was commanded to send the Citizen Genet instantly out of American waters, and two sailors on board of her, Gideon Henfield and John Singleterry, were arrested as American citizens and indicted. When Genet heard this his excitable nature threw him into a fury, and before he had become calm he complained to the Secretary of State in the language of a Jacobin orator. "The crime," said he, "laid to their charge, the crime which my mind cannot conceive and which my pen almost refuses to state, is the serving of France, and the defending with her children the common and glorious cause of liberty."

While he waited impatiently for a reply, the Republicans at Philadelphia for the second time gave him a public dinner. They had long been growing angry at the cold treatment he met with from the Government. Indeed, at one time a riot seemed near. Bands of half-drunken Republicans paraded the streets, denounced neutrality, damned Washington, and threatened to make the Government declare war on England.

Adams, in alarm, had muskets carried into his house by a back way, for he was determined, he said, to defend it to the last. This show of violence, however, passed over, and a plan was set on foot for a Republican feast. The first of June was chosen as the day, and Oeller's Hotel, as the tavern now began to be called, announced as the place. The tickets were put at four dollars each, and so many taken that three tables were set for two hundred, which was all the house could hold. Fifteen toasts were prepared. New songs were written, and a liberty-cap of crimson silk was laid at the head of the table where Genet was to sit. The dinner was the finest that the city could provide, and, as the guests devoured it, they were entertained with toasts and songs and national salutes. Genet, after a toast had been proposed, rose and sang the Marseillaise Hymn in French, and added two additional stanzas, which he had himself composed. The shouting and cheering then became so tremendous that Citizen Peter St. Duponceau sprang up and sang the hymn over again in English.* Then

* American Daily Advertiser, June 5, 1793; General Advertiser, June, 1793.

the republican spirit swelled high, and, as the fourth song was being sung, the whole company with one accord arose, joined hands around the red cap, and shouted the last stanza till the ceiling rang.*

A few days after this revel L'Ambuscade weighed anchor and, scouring the coast as she went, entered the port of New York on the twelfth of June. Instantly the same excitement broke out at that city as had followed the frigate's appearance at Philadelphia. The peace of the coffee-houses was destroyed. Debates sprang up, and from angry words the disputants went to blows. There had always been in New York a strong English faction, and with this were now joined the supporters of government and good order. Many cool-headed men, who had long wished success to France, were shocked and disgusted at the behavior of the representative of the French nation and the representative of the French navy. When they recalled with what impudence Genet had gone on commissioning privateers and insulting the President, when they thought of the cool effrontery with which Bompard had boarded American ships and seized British merchantmen near the coast, nay, in the very bays of the United States, they could find no words strong enough to express the just contempt they felt for the shallow love of Frenchmen which inspired their republican townsmen. The mention of Genet's name was enough to bring out a hearty curse or a wish that the President would send him and his consuls home to France. Some of the

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* "Rejoice, ye Patriot Sons,
With festive mirth and glee;
Let all join hands around
The Cap of Liberty,
And in full chorus join the song,
May France ne'er want a Washington."

A stanza from another song, sung on the same occasion, will bear quoting as a sample of "the republican muse":

"God save the Rights of Man,
God give us a heart to scan
Blessings so dear!
Let them be spread around
Wherever man is found,
And with the welcome sound
Ravish his ear."

American Daily Advertiser, June 5, 1793.

more extreme of the English party were heard to make threats of "kicking up a dust" with the first sailor or officer of L'Ambuscade they met on the street. The Republicans declared in return that they would make it their business to protect their visitors from every affront. They then put up in the Tontine Coffee-House a crimson silk liberty-cap, inscribed it "Sacred to Liberty," * declared it to be under the protection of the old Whigs,† and defied the aristocrats to take it down. ‡ The aristocrats vowed they would have it. The vow was never carried out, but it seemed so probable that it would be that the Republicans watched their cap closely for several days Five hundred men, it was believed, were often before the house.#

The attention of the citizens was so taken up with the disturbance at the Tontine that they gave little heed to another matter which greatly excited Genet. The cabinet resolutions of the fifth of June, touching the seizure of privateers, had been sent to all the Governors of the seaboard States. But Clinton's copy had not been a week in his hands when word was brought him that it was time to put them into execution. A sloop once known as the Polly, he was assured, was undergoing some remarkable repairs. Her name had been changed to The Republican. Her crew had been greatly increased. She was mounting more guns than was customary for vessels of the merchant marine to carry. In short, The Republican was a privateer, and on the point of sailing. Clinton instantly ordered out a detachment of militia, sent them on board, and seized her. ‖ Such conduct amazed and nettled many of his friends. Indeed, Hauterive, the French Consul at New York, addressed to him an angry note, protested against the seizure, and told him that it was not in a land where Frenchmen had

* Letters written during a Tour through the Northern and Eastern States of America, by John Drayton, 1794, p. 18.

† See A Notice to the Peaceful and Independent Whigs of the City of New York, copied in Pennsylvania Gazette, June 19, 1793.

‡ New York Journal, June 15, 1793.

American Daily Advertiser, June 20, 1793.

‖ Jefferson to Genet, June 17, 1793, in A Message of the President of the United States to Congress relative to France and Great Britain, delivered December 5, 1793. Published by order of the House of Representatives, 1793.

spilled their blood that they were to be thus harassed.* Genet wrote to the Secretary of State, and his note was more insolent than any he had yet penned. † The Government answered with cold civility, and went on with the work of stopping the sale of prizes and the departure of privateers.

The work was not begun a moment too soon. Every port from Boston to Savannah, where men and ammunition could be had, swarmed with privateers. The Roland was fitted out at Boston. The Carmagniole sailed from the Delaware. The Cincinnatus was manned at Charleston, and the Anti-George at Savannah. On the seventeenth of June the Vanqueur de la Bastile appeared off Wilmington. The indignation of the merchants of the place was so great that they gathered and made public all the facts concerning her. ‡ She had at one time been a Cape May pilot-boat, and well known to the captains who came in and went out of the bay as The Hector. But Gideon Olmsted, a Connecticut man, bought her, took her to Charleston, and there, under the very eye of Governor Moultrie, armed and equipped her as a privateer. On the seventh of June she was cleared under an American register for the West Indies. But Sullivan's Island was scarcely out of sight when the Vanqueur was chasing British merchantmen and overhauling American brigs. On her deck were four carriage-guns and a motley crew of Frenchmen, Scotchmen, and Americans. When Moultrie heard this he became of a sudden all activity, sent two slow-sailing vessels, armed with a rusty gun apiece, to hunt the Vanqueur down, and, while he secretly rejoiced in her escape, publicly lamented that she was not captured.

The labor of preserving neutrality, however, was nowhere so difficult as at the seat of Government itself. The whole state of Pennsylvania was strongly Republican. The men in authority, from the Governor down to the captains and sergeants of the militia companies, were firm supporters of Genet. The very courts became corrupt, and rendered decisions which the "Genetines," as they were nicknamed, received with wild delight. The ship William, of Glasgow, had come in as a

* See last note, p. 106. † Ibid. Genet to Jefferson, June 14, 1793.
‡ American Daily Advertiser, June 28, July 4, 1793.

prize of the Citizen Genet. The French Consul condemned her. The English owners libelled her in the courts, had her placed in charge of the Marshal, and brought the case to trial late in June. To the astonishment of the friends of justice, the court discharged the libel, declaring that the matter was one for the politicians to decide, and not the judges. Soon after, the case of Gideon Henfield came on. Henfield had been arrested and indicted as an American citizen serving on a French privateer. A plainer case never was tried. The judges felt compelled, much as they disliked it, to give a distinct and positive charge. But the jury had not been long from the room when they returned and declared Henfield to be an innocent and a much-abused man. The verdict was received with shouts. The twelve had spoken no more than the common sentiment of the city.

That the people should have been so minded is far from strange. To a plain man, the state to which affairs were come must have been most puzzling. The Government, he was told, had determined to act a neutral part in a struggle between two great powers. The one was associated in his mind with tyranny, with bloodshed, with Indian massacres, with all the horrors of the prison-ships, and all the miseries of eight years of war. To the other he felt himself bound by the strongest ties of gratitude. In a day of sore discomfort, when all others stood aloof, she had recognized the young Republic, and had loaned it of her treasures and her men. It would indeed have been impossible for him to tell the precise contingent of ships and men, or to state the exact number of livres France had sent out to the States. He might not even have been able to name over the list of Frenchmen of note who, as privates and captains, aids and generals, fought in the army of the United States. Yet he well knew that by their aid great things had been brought to pass. It was unaccountable to him, therefore, on what principle of common justice or honor the generous friend was now placed on the same footing and treated with as little consideration as the ancient foe. Was this, he asked, the way to requite noble acts? What had become of the spirit of '76? Why was the Government on a sudden so eager to protect and so afraid to offend a power which at that very moment inso-

lently held the American posts upon the frontier, and forbade American merchants to trade at its ports? He could not, when he recalled these things, be neutral. He could not refrain from wearing the white cockade and wishing well to every power that hurled scorn in the face of England. He could not condemn any fellow-citizen who fought on the side of Liberty, Equality, and the Rights of Man.

In this way of thinking he was encouraged by the example of the most distinguished men in the commonwealth, and by the efforts of two scribblers whose writings disgraced a good cause, and whose names can not be mentioned without awakening feelings of disgust. Within a week after Genet entered Philadelphia a few shrewd politicians, who saw how strong the public feeling was toward France, determined to use it for political purposes. They accordingly made haste to form a club after the manner of the Jacobin clubs at Paris, drew up a constitution, and called themselves the Democratic Society. They forbade the words "sir" and "humble servant" to be used in their proceedings, and decreed that whoever paid down fifty cents and signed their constitution should be a member. David Rittenhouse, whose integrity, whose learning, whose wonderful skill in the mechanical arts, had raised him to great consideration in the city, was made president. The secretary was Peter S. Du Ponceau, an officer of the Continental army, and the best-known Frenchman in the city. Among the members were Jonathan Sergeant, Attorney-General, and Alexander J. Dallas, the Secretary of State. Dallas was a native of Jamaica, had been educated at Edinburgh, had come over to America not long after the close of the war, and for some time had lived by his wits and his pen. For a while he edited a monthly magazine, but this proving unprofitable, he joined the Pennsylvania bar, began to take a lively interest in politics, and, by his parts and adroitness, built up a large practice and raised himself to the post of Secretary of State.

The real object of the society, of which Dallas was the most busy member, was to control the politics of Pennsylvania and re-elect Governor Mifflin. The avowed object was quite different; and was set forth in a circular which, about the middle of July, found its way to the mail-bags that went out of Philadel-

phia. The paper, with a copy of the constitution, was usually addressed to some prominent character of a county or town, and began by urging him to read the constitution well, consider it carefully, and further its adoption. Any man capable of reflection must, the circular said, see that the present crisis was a most interesting one to America. The monarchical confederation in Europe was transcendent in power and unparalleled in iniquity. It threatened the very life of freedom. Already Poland had fallen a prey to it, and been parted out among its members. And now the combined kings turned their arms against France. If France fell, then America, the only depository of liberty, would not long be suffered to enjoy peace. But foreign dangers were not the only ones that menaced the Republic. Seeds of luxury had taken root in the democratic soil of America, and the jealous eye of patriotism could not but regard freedom and equality as eclipsed by the pride of wealth and the arrogance of power. These pressing evils had led the subscribers to form a Democratic Society. Every member of that society stood pledged to cultivate fraternal confidence, to estimate men and measures by their intrinsic worth, to mark every innovation, to aid in putting up a standard to which, in times of danger and distress, the friends of liberty could resort.*

So active were the members in spreading these documents that, ere many weeks had gone by, other seed than the seed of luxury began to take root and flourish. Indeed, the summer was still young when a Democratic Society existed in a dozen cities and towns of importance in the fifteen States. They denounced the excise, they condemned neutrality, they praised Genet, they used language toward the Government for which, in any other country, every Democrat among them would have been laid by the heels and soundly punished.

But the virulence of these societies was as nothing when compared with the virulence of Philip Freneau and Benjamin Franklin Bache. The Democratic Societies attacked the measures of Government, Bache and Freneau attacked the character of Washington. Whatever might be the opinions of Re-

* Manuscript minutes of the Society preserved in the Library of the Historical Society of Pennsylvania.

publicans on neutrality, on the treatment of Genet, on the seizure of privateers, on the right of American citizens to serve on French men-of-war, their admiration for Washington was unshaken. To the great majority of them he was still the Washington of Valley Forge and Yorktown. They delighted to keep his birthday. They toasted him at their civic feasts. They coupled his name with liberty, and, with white cockades on their coats and liberty-caps on their heads, sang the stirring words "God save Great Washington" till the tears ran down their cheeks. But it was impossible for these men to restrain the intemperance of their friends, or to drown the roar of execration that went up from a small minority every time the President put his hand to a public act. He was, they said, fast debauching the country. He was seeking a crown. He was passing himself off as an honest man. Now the President was vilified in a French poem which the public attributed to Genet, and which he did not deny. Now the attack was in prose, and the French Minister, when taxed, admitted it to be the work of his private secretary. For a while Washington met this abuse with cold disdain. "The publications," he wrote on one occasion, "in Freneau's and Bache's papers are outrages on common decency." But "I have a consolation within that no earthly effort can deprive me of, and that is, that neither ambition nor interested motives have influenced my conduct. The arrows of malevolence, therefore, however barbed and well pointed, never can reach the most vulnerable part of me, though, while I am up as a mark, they will be continually aimed." * But, as time went on, the slanders daily heaped upon him by the National Gazette and the General Advertiser irritated him to such a degree that every allusion to them provoked a testy answer or a show of rage. One of these outbursts took place at a cabinet-meeting held early in August, and has been described with manifest delight by Jefferson. The matter discussed was, as usual, the conduct of Genet, and, in the course of some remarks, Knox spoke of the recent libel on the President. In a moment the face of Washington put on an expression which it was seldom given his friends to see. "He got," says the faithful Jefferson, "into

* Washington to Henry Lee, June 21, 1793.

one of those passions when he cannot command himself, ran on much on the personal abuse which had been bestowed on him, and defied any man on earth to produce one single act of his, since he had been in the Government, which had not been done on the purest motives. He had never repented but once having slipped the moment of resigning his office, and that was every moment since; and, by God! he had rather be in his grave than in his present situation. He had rather be on his farm than be emperor of the world; and yet they were charging him with wanting to be a king." *

But, even while he complained, the reaction had begun. Every day his administration was growing stronger and more popular. The merchants of Philadelphia had already held a great meeting, had discussed neutrality, had declared it to be a wise and salutary measure, and had adopted a strong resolution to support it.† They now gave evidence of their sincerity. The toasts and the songs with which the fourth of July had been celebrated were yet fresh in their memories when it was hinted to a few that an English brig called the Little Sarah, a prize brought in by L'Ambuscade, was arming at the port, and almost on the point of sailing. A meeting of merchants was therefore held at the Coffee-House on the morning of Monday, the eighth of July. In the course of the debate such strong proof was brought forward that a breach of neutrality was meditated, that a committee was sent in haste to warn the Governor. That same evening the committee reported. They had waited not only on Governor Mifflin, but on the heads of departments also, and had been assured by the Secretary of State that the brig would not sail before the arrival of the President, who was then at Mount Vernon. Thereupon the meeting resolved to raise six thousand dollars, place it in the hands of the Governor for the defence of the city, and at the next session ask the Legislature to pay them back.‡

In the belief that the vessel would not depart for some days the Secretary was much mistaken. On the Saturday before the merchants assembled, the Warden of the port of Philadelphia

* Jefferson's Anas. † American Daily Advertiser, May 18, 1793.

‡ American Daily Advertiser, July 10, 1793.

informed the Governor that the brig Little Sarah, afterward named the Petit Democrat, was fast becoming a privateer. She had, he said, once been a merchantman of two guns. She now mounted fourteen iron guns and six swivels, and had on board a crew, all told, men and boys, of one hundred and twenty. Mifflin in alarm sent Dallas, his secretary, at midnight, to beg Genet to keep the vessel in port, for it went hard with him to think of having to use force. But Genet flew into a passion, flatly refused to detain the vessel one hour, complained that he had been ill-treated by the Government, said he would appeal from the President to the people, and that if an attempt were made to take the brig by force, it should be resisted.* Dallas carried back the message, and Mifflin ordered out one hundred and twenty militiamen. When Jefferson heard what had been said to Dallas he was much excited, and went the next day, which was Sunday, to persuade Genet to detain the Petit Democrat till Wednesday. Genet would give no promise, but said that the brig would probably not be ready for sea before the morning of that day. Jefferson supposed this to be the language of diplomacy, and that what the Minister really meant was that the vessel should not sail. He made himself easy therefore, got Mifflin to dismiss the soldiers, and the Petit Democrat, unmolested, dropped down to Chester and went out to sea.

Meantime Washington returned, went carefully over the paper relating to the affair, and addressed to Jefferson a note which any other man would have felt to be a severe reprimand. "What," wrote he, "is to be done in the case of the Little Sarah? Is the Minister of the French Republic to set the acts of this Government at defiance with impunity, and then threaten the Executive with an appeal to the people?" Had Jefferson answered this question in the plain language of truth, he would undoubtedly have said Yes. Indeed, the very day after he had listened to the insolent speech of Genet, and while Knox and Hamilton were begging him to let the troops throw up a battery on Mud Island and sink the privateer as she went by, he sat down and wrote a long letter to Madison,

* New York Journal, December 4, 1793. See statement of Jay and King in that newspaper.

imploring him to combat the heresy that the President could proclaim neutrality. For some time past this act of Washington had been ably defended in a set of articles which came out in the Federal newspapers. They bore the signature of Pacificus. But Jefferson had not finished reading the first number before he well knew that Pacificus was none other than Hamilton. To refute what he was pleased to call "Hamilton's heresies" he felt himself quite unfit. In the art of pamphleteering he had no skill. Nor had it ever been his habit to attack others when men could be found to do it for him. When he wished to denounce the Government, he brought Freneau to Philadelphia. When he wished to denounce neutrality, he drew in Madison, and, before the end of August, Helvidius was attacking Pacificus.

He went to the task, he wrote, with but half a heart. And well might this be so, for he had, not many weeks before, been concerned in a shameful attack on Pacificus, and had suffered a crushing defeat. The session had just opened, the House was still busy with the speech of the President, and that part relating to the payment of the debt was under consideration. Immediate steps, it was felt, should be taken for reducing the debt, and a resolution was moved calling on the Secretary to furnish a plan. Madison, who now saw his chance, rose and opposed it. Information, said he, not a plan, is what we want. The exact state of our finances should first be known. Then we shall be able to judge if we are in a condition to make a reduction. A member replied that information would come in time. But Madison insisted; and the question at once became: Shall the House call for books and papers, or shall it call for a plan? The friends of Hamilton maintained that, by the language of the law creating the Treasury Department, and by the practice observed on former occasions, the House ought, nay, was in duty bound, to ask the Secretary to frame a scheme. This, was the reply, destroys all responsibility. This is taking it from many men elected by the people, and putting it on one man not elected by the people and over whom they have no control. This is giving the Secretary more power than is bestowed on the Senate. When a measure is proposed by that body, it comes to the House unburdened with long-winded

arguments in its behalf. But what does the Secretary? He is asked to prepare a plan, and he writes a volume. His reports are like Adam Smith's "Treatise on the Wealth of Nations." Why does he do this? To give us information? No! To win the doubtful to his side, and to confuse the cautious. All this is wrong. We do not come here to be schooled, lectured, and made to listen to long essays on finance. The House ought to be left to its own unbiased judgment. Mr. Secretary's business is to manage the revenue after it has been gathered, not before it has been ordered. Giles, in one sentence, set forth the cause of the opposition. The Secretary, he held, was not fit to make plans; for, said he, some of the measures urged by that gentleman show a princely ignorance of the country; the wants of one part have been repeatedly sacrificed to the interests of another.* On the question to strike out that clause of the resolution calling for a plan, the Speaker declared the nays had it, thirty-one rising in the negative and twenty-five in the affirmative.

A call was then made,† a plan reported, and at once attacked. One resolution, moved by a member from Virginia, bade the Secretary lay before the Congress an account of the moneys borrowed at Antwerp and Amsterdam. A second, moved by Giles, asked the President to send down a statement of the loans made by his authority, their terms, what use had been made of them, and how large the balance was, if any remained. A third summoned the chiefs of departments to make a return of the persons employed, and their pay. The House was speedily furnished with a list of Treasury book-keepers, clerks, porters, and charwomen, told that the net yield of the foreign loan was eighteen millions six hundred and seventy-eight thousand florins, that the loans were six in number, and that three bore five per cent interest, two four and a half, and one four per cent.

But the party of Madison was not content, and another set of five resolutions were soon moved. It is now certain that Jefferson suggested them, that Madison drew them up, and that Giles, without a blush, brought them in. He could not, he complained, understand the Secretary's report. In truth,

* Annals of the Second Congress. † November 21, 1792.

the more he studied it, the less he knew about it. The terms of the foreign loans were indeed stated, but of the precise authority under which they had been contracted not a word was said. Again, the payments made to France were given. But where were the names of the men engaged in this business? How long did the public money stay in their hands? So long that, between the day the loans were made and the day they were used, the United States paid heavy interest on both loans and debt. Calculations seemed to show that, in the case of the United States Bank, the rate was from fifteen to seventeen per cent. Funds had been drawn from Holland to purchase the public debt at home. Yet the Sinking Fund, created for that very purpose, was overflowing with the surplus of domestic revenues. It would be interesting, moreover, to know where this foreign money was deposited, and how much of it remained on hand. These serious omissions rendered the report of the Secretary most obscure. Giles felt compelled, therefore, to move the adoption of five resolutions, which were then read.* One called for copies of the papers authorizing the foreign loans to be made; another for the names of the person to whom and by whom the French debt had been paid; a third for a statement of the balances between the United States and the Bank. The fourth for an account of the Sinking Fund: how much money had come into it, and where from; how much had been used for the purchase of the debt, and where the rest was deposited. The fifth for the unexpended revenue at the close of the year 1792. A discrepancy, it was charged, existed between the report of the Secretary and the books of the Bank.

These resolutions became the subject of three long and exhaustive reports by Hamilton, which set forth his conduct so clearly and so fully that the little knot of persecutors were for the moment abashed. But they soon returned to the attack with nine resolutions more shameful still.†

The first declared that the Government of the United States could not be rightly carried on unless laws making special appropriations of money were strictly obeyed. Another announced that a violation of a law making an appropriation

* January 23, 1793. † Introduced February 27, 1793, and debated February 28.

of money was a violation of that clause of the Constitution which forbids any payments being made at the Treasury not ordered by act of Congress. The third accused Hamilton of having broken such a law.* He had used part of the principal borrowed in Holland to pay the interest due on the principal. He had drawn some of the same principal into the United States without instructions from the President. The fourth complained that he had gone wide of his authority in making the loans. That he had failed to give Congress due information of money drawn from Europe to America was a fifth charge. That he had brought in more than he ought to was the sixth. That he did not consult the true interest of the country in borrowing four hundred thousand dollars from the Bank at five per cent while a great sum was still on deposit in the Bank, was the seventh. The eighth accused him of indecorum toward the House. The last proposed that a copy of the resolutions should be sent to the President of the United States.

When the clerk had finished reading, Giles moved to send them to a Committee of the Whole House. This a member named Smith opposed. It is trifling, so his argument ran, it is trifling with the House to lavish time in abstract propositions when the purpose of the investigation ought to be to reach facts. Let the House once go into a discussion of the theory of Government, and the session will close with the debate still on. The question is, Has the Secretary violated a law? If so, let it be shown. Every member on the floor is amply able to decide so plain a matter. He can read the law, examine the evidence, and pronounce him innocent or guilty without the help of such pretentious, metaphysical discussions as the gentleman from Virginia seeks to introduce. The second resolution, again, is as objectionable as the first. A violation of a law appropriating money is not a violation of the Constitution. Suppose an act passed to expend one hundred thousand dollars. Is this unconstitutional? No! The outlay has been duly ordered by Congress. Yet may not that law be violated in a dozen essential particulars: the money given to the wrong men, spent wastefully, or paid for claims ill-founded, for ser-

* That of August 4, 1790.

vices half rendered, for goods of an inferior grade? All this is contrary to law; but is it contrary to the seventh paragraph of the ninth section of the first article of the Constitution? By no means.

The House agreed with the speaker, and refused to send the first, second, and ninth resolutions to the Committee of the Whole. The others were referred. But nothing was done till the next day, when the third resolution was taken up. What, it was then asked, is the charge? A sum of interest-money owed abroad, was to be paid out of the domestic revenues of the years 1791 and 1792.* The French debt was due, and, to meet it, a large sum had been borrowed in Holland. Suddenly a request came from France to discharge part of this with provisions for the Island of St. Domingo. What did the Secretary do? Instead of sending bills of exchange or bags of dollars to Paris to satisfy the interest due there, and then bringing home some of the coin obtained in Europe and with it buying St. Domingo food, he committed a heinous crime. With foreign money he paid the foreign interest. With domestic money he bought provisions and cancelled part of the French debt. It is a foolish and a mischievous doctrine that the very dollars raised by a tax must be used for no other purpose than that for which the tax was imposed. Suppose a farmer, having determined that the yield of one field should be spent for bread and the yield of another for drink, should declare that he would die of hunger before a penny of that set apart for drink should be expended in procuring bread. Would he not be a fool?

Was the money, said the opposition, appropriated for a distinct and special purpose? It was. Did the Secretary apply it to those purposes? He did not. The law of August fourth, 1790, authorized a loan of twelve millions of dollars for the discharge of the United States debts in France and Holland. The law of August twelfth, 1790, provided for a second loan of two millions to be used for the reduction of the debt at home. The language is precise, distinct, unconditional. No option is given. Did he obey it? No. At the outset he combined the loans and directed them to be expended in a wrong way. Stern necessity may force a general or an admiral to depart

* March 1, 1793.

from his instructions. But rarely a financier. And when it does, will he not hasten to tell why? Has the Secretary done this? In place of facts, has he not given us a variety of ingenious motives, and been at infinite pains to charm us with the mighty public convenience likely to come from his evading the law? Who made him judge of our national interests? Who left it with his wisdom to determine how much credit our nation shall enjoy? We called for facts, not political essays. We care nothing for his motives, nor his self-important plans. We want an account of his stewardship. It is time enough to apologize when he is blamed.

Late at night the question on the third resolution was called and disagreed to. The others were then taken up in rapid succession and voted down. On none did the yeas count more than fifteen or the nays less than thirty-three.*

Madison was still smarting under this defeat when Jefferson besought him once more to attack their common foe. "For God's sake, my dear sir," were his words, "take up your pen. Select the most striking heresies and cut him to pieces in the face of the public." †

Pacificus had met the arguments of a host of "Citizens" and "Friends to Peace," "Americans" and "No Dissemblers," and these arguments, when stripped of all vulgarity, may be summed up in this wise:

The proclamation of neutrality is both unconstitutional and unwise. Unconstitutional because the President has exceeded his power. The Constitution does not, indeed, say in so many words that he shall issue no such proclamations. Yet that is clearly the meaning of the instrument. Wherever foreign nations are concerned the duty of the Executive is clear. He must appeal for guidance to Congress. He cannot declare war, nor make peace, nor conclude treaties, nor send out ministers, nay, not so much as appoint a consul to live at the meanest port in the smallest kingdom, without the consent and approval of the Senate. How, then, can he declare neutrality? If he should, of his own will, say to France, The United States will side with you in this conflict, send you troops, loan you

* Annals of Second Congress, March 1, 1793.

† Jefferson to Madison, July 7, 1793.

money, man and equip your ships, would not every one in the country at once cry out that the President had no power to say such things; that he was really declaring war with England? If, then, he has no power to say to France, We will side with you, what right has he to say, We will not side with you; we will be neutral? He has simply no right. Such matters rest with Congress, and he ought plainly to have first consulted Congress.

The proclamation again is unwise, nay, unjust. By it Great Britain is placed upon the same footing, treated with the same respect, and given the same privileges as France. Now, what are our relations toward these two nations? Ten years have almost gone since Sir Guy Carleton and his troopers sailed away; yet no treaty has to this day been made with Great Britain. Her troops still hold our frontier forts; our citizens are still unpaid for the slaves and property she carried off; our ships are still shut out from her ports, and she is now eagerly striving to drive them from the high seas. How is it with France? We are bound to her by gratitude and treaties. Did she not recognize our independence, send us ships and troops and arms and money? Are we not at this very hour millions of dollars in her debt? Are not her ports open to our merchants? Have we not in the most solemn manner entered into an offensive and defensive alliance? The moment for putting that treaty to the test has now come. Shall we fail? How contemptible, how unworthy of the American character is the plea that the treaty was made with Louis, who has now ceased to reign! It was not made with Louis. It was made with France, our ally, our helper, our firm friend in the hour of need. Such sophistry may suit the purposes of the Executive, but it will never deceive the American people. They never will consent to treat the British as they do the French.

By such arguments in the newspapers, and by the disputes that daily and nightly went on in the taverns, the people became greatly excited. Indeed, in the large seaports the watchmen and constables could with difficulty preserve the peace, for there the streets were constantly paraded by bands of half-tipsy seamen from the French and Eng-

lish vessels that lay at the wharves. The English Consul at Philadelphia at one time published an urgent appeal to all good Englishmen to respect the authority of the United States and seek redress for insults in the courts.* Genet, at a later period, begged the patriotic sailors of the French ships in the river to remember that Americans were their good friends.† But it was of no use. Brawls and fights were of constant occurrence. One morning, at Philadelphia, three British tars wearing huge white cockades went about the streets insulting passers-by and seeking to raise a riot; but the hour, most happily, was so early that few were astir, and they escaped punishment.‡ On another day, at New York, a British officer entered the coffee-house and abused the French so roundly that the company rose and "hustled him into the street."# Again, one Sunday morning, a band of his Majesty's sailors fell upon some French sailors, tore off and trampled on their cockades, beat them with tongs and pick-axes, and would have killed several had not the gathering crowd forced the Englishmen to flee into hiding.‖ But, in the excited state of the public mind, tavern quarrels and street frays caused little comment. Party spirit ran high, and was soon carried to the verge of riot by the arrival of a British ship-of-war.

Toward the close of July a pilot who came up from the lower bay brought word that a frigate, probably La Concord, lay at anchor just off Sandy Hook. The French party were in ecstasies at the news. Bompard instantly sent off a lieutenant and a dozen sailors to welcome her. The officer, when he beheld the craft, had many misgivings as to her nationality; but as he drew nearer she ran up the French flag, and he clambered over her side to find, to his horror, that he had boarded the British frigate Boston, Captain Courtney in command.△ The rage of the Republicans when they heard of this was terrible. They cursed the pilot who brought the news. They called Courtney a blackguard, denounced his ruse as a vile English trick, and declared that Citizen Bompard would

* American Daily Advertiser, May 31, 1793.
† Ibid., August 6, 1793.
‡ Ibid., June 19, 1793.
# Ibid., August 1, 1793.
‖ Ibid., August 22, 1793.
△ Ibid., August 5, 1793.

call him to a speedy reckoning. The British captain, however, did not wait for the call. On the morning of the twenty-ninth of July the master of the United States revenue cutter brought a challenge and spread it on the books of the Tontine Coffee-House. Subject Courtney, so the challenge ran, of the Boston, would be happy to see Citizen Bompard of L'Ambuscade a few leagues from the Hook, and would wait ten days.* It was promptly accepted. From that moment the excitement in the city became intense. Business was at a standstill.† Nothing was thought of or talked of but the coming battle. Some declared it to be brutal and a wanton waste of life. Others made haste to secure places on the innumerable sailing-vessels whose captains informed the public that they would, on the day of the engagement, take down a few passengers to the Hook to see the fight. ‡ Almost any man, in the excitement of the moment, was ready to lay a wager on the result, and great sums, it was believed, were staked.#

Meantime all was bustle on L'Ambuscade. The decks were cleared, the rigging was mended, ‖ the sails were examined, and a pilot sought. At last one was found. He was, he said, not himself engaged for the thirtieth; but, unhappily, the only boat he commanded in the harbor was hired for that day by a fishing party of merchants. He was told that it would be a crying shame if L'Ambuscade were suffered to go down the bay without a pilot, and urged to ask the merchants to give up his boat. To this he firmly demurred. The gentlemen were his employers. They gave him his bread; he could not offend them. He gave way, however, went, and brought back word that the merchants flatly refused. Then he tried to hire an Albany sloop that lay at one of the wharves; but she had no ballast, and could not be made ready in time.^ L'Ambuscade, therefore, beat down the harbor without a pilot, waited for the tide, and, on the afternoon of the thirty-first, went out to sea. ◊

* Pennsylvania Gazette, July 31, 1793.
† American Daily Advertiser, August 1, 1793.
‡ Ibid.
# Ibid., August 2, 3, 1793.
‖ Ibid., August 1, 1793.
^ Ibid., August 5, 1793.
◊ Ibid., August 3, 1793.

The action took place off Long Branch, then a petty fishing hamlet on the Jersey coast, on the morning of August first. By those on land the cannonading was plainly heard and the smoke of the battle clearly seen, but the frigates were cut off from view by the horizon.* To those who were on the water we are indebted for a number of accounts, all of which closely agree. The east was scarcely gray when L'Ambuscade drew near the Boston, and Bompard, with a red liberty-cap on his head, three times called on Courtney by name. The only answer was a broadside. The French sailors returned a cheer, and their frigate bore down upon the Boston. For a while the Englishman tried to beat to windward, but at half-past five gave up the attempt and came to close quarters. During two hours the firing was incessant. Then, Courtney having been killed and the maintop-mast shot away, the Boston crowded on all sail and fled. For five hours L'Ambuscade followed in her wake, when, Bompard thinking that enough had been done for the honor of his flag, turned back and made for New York. But, while he was still hot in the pursuit, a French fleet of fifteen ships of the line passed round the Hook and went up the bay. As they drew near the city, saluting and furling their sails, the greatest joy prevailed. The French faction, put into excellent humor by the accounts that had been brought back of the fight and by the bets they had won, went by thousands to the river to welcome the vessels. The admiral was instantly brought ashore, and, surrounded by an immense multitude of shouting men, went at once to the Government-House. The reception was scarcely over when the well-known masts of L'Ambuscade were seen off Governor's Island. As the cry of "L'Ambuscade!" "L'Ambuscade!" passed from mouth to mouth, the streets filled with people. The crowd, deserting the Bowling Green, rushed across the city, and, long before the frigate sailed into the East river, ten thousand men, says an eye-witness, stood upon the piers, shouting and cheering and waving their hats. The wounded were speedily taken on shore. The rude establishment which then served as an hospital was opened to them, and the women of the city sent in such stores of linen and lint that, had every

* American Daily Advertiser, August 3, 1793.

sailor on the frigate received a wound, there would have been enough for all.*

In the same newspaper that described the return of L'Ambuscade the French Consul at New York appealed to the public to aid another class of sufferers, quite as deserving of help as the wounded sailors. The Rambler lay at anchor in the stream, and, stowed away in her cabin, were sixty-three men, women, and children. They had escaped Toussaint L'Ouverture's massacre at Cape François, and had come to seek shelter in America. Their plight was truly pitiable. Not one could muster enough English to ask for a glass of water or a piece of bread. Scarce a dozen among them had a change of linen or an extra coat. A few, indeed, had some little money. But food was so dear and rents so high that the only home they could find was the cabin of the ship that brought them out. When this was known, politics were forgotten and men of each party became active in the work of relief. Many were zealous in behalf of the sufferers because they were Frenchmen. Others, who cared nothing for the nationality of the strangers, sent in stores of food and clothing, because they remembered the terrible days when they had themselves been driven into exile and forced to seek food and shelter at the farm-houses along the Hudson. The Chamber of Commerce called a meeting, drew up a circular, and named committees to carry it through the seven wards of the city. This paper reminded all who read it

* The victory was duly celebrated in the ballads of the day. Two stanzas from one of them may be worth citing:

"As the Frenchman shot past, Boston gave him a blast,
Glass bottles, case-knives, and old nails,
A score of round shot, and the devil knows what,
To cripple his masts and his sails,
Madam Boston supposed, at the best of her play,
To prevent him from chasing—if she ran away.

"So, squaring the yards—on all Captain Bompards
A volley of curses they shed;
Having got these discharged, they bore away large,
While the Frenchman pursued as they fled;
But vain was his haste, and vain was his speed,
He ended the fray in a chase;
The Gaul had the best of the fight, 'tis agreed,
The Boston—the best of the race."

that to alleviate the distress and save from the depths of wretchedness and despair such fellow-beings as were doomed to drink deep from the cup of misery was a duty incumbent on all; that there never was, perhaps, an event so likely to awaken sympathy as the disaster at Cape François, and that with the causes which led to that painful event charity had nothing to do. The citizens were then asked to put down their names, and such donations as they wished to make.* In recommending the circular, one of the newspapers expressed the hope that the hucksters and haberdashers of New York would not do as had been done elsewhere and impose on the strangers with high prices.†

One of these places was Baltimore, where thirteen ship-loads had come in and been cared for by the people. ‡ Another was Philadelphia. As many as seven hundred and fifty of the refugees had landed in that city. Some were taken back to old France. Some were sent to the West India islands. For some, employment was found; for others, farms, and to these were given free transportation, ploughs, tools, and five months' provisions. To carry on this good work, fourteen thousand six hundred dollars were subscribed by the citizens. The sum was justly thought a great one. It was equivalent to thirty-four cents from every human being in the city. Were such a subscription now to be raised, it would amount to three hundred and six thousand dollars.#

But the men who gave so freely of their money and their goods little thought that, in four weeks' time, their own city would present a scene of desolation and of misery more appalling than any on which the sufferers at Cape François had looked. Already there were among them the germs of that terrible disease which has repeatedly, within the memory of this generation, laid waste the cities of the southern States. Long afterward, when the danger had passed away, it

* American Daily Advertiser, August 7, 1793.

† Ibid., August 6, 1793. ‡ Ibid., July 14, 1793.

The committee proposed to spend $4,000 in carrying two hundred of the sufferers back to France; $3,000 in sending one hundred and fifty back to St. Domingo; $800 in giving employment to one hundred mechanics for one month; $4,400 in helping two hundred to settle on western land; $900 on widows whose husbands perished in the massacre; and use $7,500 for contingencies.

was the custom to declare that the yellow fever had come in with the refugees from St. Domingo. But nothing could rid the people of the belief that it came from a heap of putrid coffee and some piles of stinking hides that had long cumbered one of the wharves near Mulberry street. However this may be, it is certain that the malady first broke out at Kensington, and spread thence through the whole city with a rapidity that defied the medical skill of the day. Nor is it strange that it did, for the treatment to which the best doctors subjected their patients was such as a quack would now blush to practice on his dupe. The moment a sick man detected the symptoms of the disorder, a quick pulse, a hot skin, a rough tongue, an inflamed eye, a dull pain in the head and loins, he would send in haste for the nearest physician. The moment the doctor came he would begin to let blood, and the sufferer might count himself happy if, when the sun went down, he had not been bled five times. Indeed, one case is recorded of a man from whom seventy-two ounces of blood were taken in as many hours.

Toward the close of the fourth day, if the bleeding, the starving, and the purging had not killed the patient, he would begin to show symptoms more alarming still. The whites of his eyes would turn yellow. His nose would run blood. His stomach would throw off a black vomit. His body would put on a yellowish-purple color, and about the eighth day he would die. During the first week in August as many as nine died of the fever each day. For the second the daily death-rate was seven. Yet it awakened little comment, for the summer had everywhere been sickly, and almost as many died in the same space of time in the neighboring villages of the bloody flux. But, when the third week came, there was scarce a family in the city that did not know of some one lying sick of the fever. The streets were black with funerals. The bells tolled incessantly. On the morning of the twenty-second of August the Mayor, in great alarm, ordered the foot-ways and carriage-ways to be cleaned. It was full time. Along the best thoroughfares the mud and filth were deep, and, when the weather was wet, were cast in clods upon the footways by every passing horseman and by every lumbering dray. On the vacant lots and bits of common, nay, under the very windows of some of the most

frequented inns, the carcasses of horses and hogs lay rotting in the summer sun.

While the Mayor was caring for the streets, the College of Physicians was doing what it could to check the malady and calm the fears of the people. Thousands of them, throwing a few clothes into their portmanteaus and turning the keys in their doors, had fled to distant towns and villages. Those who stayed were now bidden to keep out of the sun, to be sober, not to get tired, to put a mark upon infected houses, to bury the dead quietly, and, above all, to stop the endless ringing of bells. The doctors had, they said, little faith in bonfires as purifiers of the air, and much in the burning of gunpowder. No sooner was this advice read in the newspapers than the citizens made haste to take it. The fires, which till then had been kept burning on the corner of every street and on the hearths of every house, were put out. The bells ceased ringing. Hearses were no longer seen, and the dead, let down at midnight from the casements of their houses, were quietly carried to their graves in carriages, on shafts, or in wheeled chairs. Every one who could buy or borrow a gun loaded and fired it from morning till night. But the rattle of musketry produced the same depressing effects on the sick as the bell-ringing had done, and the doctors ordered it stopped. Then the people began to burn nitre instead. Indeed, no remedy which an old wife could suggest, or an apothecary's apprentice concoct, but had its trial. One day tobacco was thought a good preventive, and the dealers in snuff found it impossible to supply the demand. On another garlic was recommended, and in a few hours every particle in the city was bought up. Some chewed it. Some put it in their shoes. Some went about with huge bunches protruding from the pockets of their coats. Some tried mud-baths. Then it was discovered that camphor was a disinfectant, and in a little while every one had a great bag of it strung round his neck. But no medicine was so much a favorite as the vinegar of the four thieves.

It is said that while the plague raged at Marseilles four young men compounded a mixture which, sprinkled on their clothes, made them impervious to the disease; that they went about among the sick and, while nursing, plundered

them of both goods and money; that one of the robbers was afterward taken, confessed, and, as the price of liberty, disclosed the secret of the wonderful compound.* From that day it was known as "Vinaigre des quatre voleurs."

When the fever broke out at Philadelphia the story was brought to mind, the recipe hunted up, and each druggist in the city began to make thieves' vinegar and to assure the public that the real medicine could be had nowhere but in his shop. If the purchaser of the vinegar were a nervous man and tormented with hourly fear of being stricken with the fever, the spectacle he presented as he sallied forth to buy was most pitiable. As he shut his house-door he was careful to have a piece of tarred rope in either hand, a sponge wet with camphor at his nose, and in his pocket a handkerchief well soaked with the last preventive of which he had heard. As he hastened along the street he shunned the foot-walk, kept in the middle of the horse-way, fled down the nearest alley at the sight of a carriage, and thought nothing of going six blocks to avoid passing a house whence a dead body had been taken the week before. If he were so unhappy as to meet a friend on the way, neither shook hands, but, exchanging a few words at a distance, each sought, bowing and scraping, to get to the windward of the other as he passed. When at last the shop was reached, nothing could induce him to enter while another stood at the counter, or was seen approaching on the street. No one being in sight, he would rush in, throw down his money, wait not for change, seize the package and, with the cold perspiration starting from every pore, hurry home. There he would sprinkle the floor and his garments with the vinegar and restrict himself to a prescribed diet. His daily food was made up chiefly of water-gruel or oat-meal tea, clear whey, barley-water, balm-tea, or a vile decoction that passed under the name of apple-tea. If his head pained him, or his tongue felt rough, he instantly washed out his mouth with warm water mingled with honey and vinegar, or with a preparation of dried figs and barley-water.†

* See a druggist's advertisement in American Daily Advertiser, August 28, 1793

† See American Daily Advertiser, September 12, 1793. See, also, Dr. Rush's prescriptions in American Daily Advertiser, September 13, 1793.

Such luxuries and preventives, however, were far beyond the reach of laborers and mechanics. Deprived of their scanty wages by the stoppage of every kind of business, they fell a prey to that peculiar desperation which poverty and terror can alone produce. Without nurses, without money, without medicine, they sought to forget their ills in riotous living, and were swept away by hundreds. Often as many as five dead bodies lay festering in a single house, which no one could be induced to drag to the nearest ditch and bury. Shut out from the almshouse, the sick were hurried to the circus, where the public had been amused with feats of horsemanship and the jests of the clown. But the circus stood near a thickly settled spot. The people rose, denounced this conduct of the doctors, and made threats of burning the place unless the infected men were taken away. In this strait ten citizens volunteered as nurses; the Bank of North America advanced fifteen hundred dollars, and the Guardians of the Poor began to seek for a building fit to be made a pest-house. None could be found so well suited as the house of a Mr. William Hamilton at Bush Hill.* Unhappily, Mr. Hamilton was not in town. His whereabouts could not be learned, and, as his tenant firmly refused to quit the out-buildings, the Guardians seized upon the drawing-rooms and bedrooms of the house itself. The Governor and the Mayor approved their action, and a letter, addressed to William Hamilton setting forth what they had done, was published in the newspapers early in September.

Thereupon Stephen Girard, whose name has come down to our time associated with many noble charities, offered to take upon himself the duty of superintending the hospital at Bush Hill.† He was assisted by Peter Helm. But the only

* A cut of Bush Hill, on the Schuylkill, may be seen in the Columbian Magazine for February, 1789.

† Of the conduct of Girard a witness has left this account: "Souvent même j'ai vu les malades, rebutés par le mauvais goût des médicamens, les rejeter et en couvrir leur bienfaiteur. Que faisait alors le vertueux Girard? . . . il essuyait le moribond, l'exhortait au courage, il revenait à la charge, et à force de persuasion et de patience il parvenait à faire avaler le remède . . . . avant de le quitter pour passer à un autre, et lui prodiguer les mêmes soins, il lui touchait les pieds, le front, afin de connaître le dégré de chaleur et faire, suivant les circonstances, augmenter ou diminuer les nombres des couvertures." Recherches et Ob-

LIBRARY OF THE

nurses that could be had were prostitutes fresh from the tippling-houses and back alleys of the city, and they soon turned the house into a brothel. Lewd women rioted on the dainties sent to the sick. The patients died by scores. Their medicine was rarely administered, their food was scanty and ill-prepared, their persons were never washed, their filth was suffered to stand for days in the very rooms where they lay. Such was the popular horror of this place that, rather than go to it, the afflicted hid the first symptoms of their malady as long as they could, and, when unable longer to do so, locked themselves in their rooms, or rushed out of the city and perished under haystacks or in ditches. Nor did those who quitted the city in perfect health fare much better. For, once out, it was almost impossible to go on. At every seaport along the whole coast a quarantine was laid on packets and sloops from Philadelphia. Some towns forbade the stages to pass through them. The inhabitants of one burned a wagon, loaded with furniture, on the highway. Those of another fired on a stage-coach. Others put up rude huts on the outskirts, where each stranger was carefully examined before he was suffered to go on. At every ferry stood an armed guard to keep back suspected persons. If a hungry fugitive begged for food at a farmer's door, he was given a crust on the end of a pitchfork and bidden to hurry away. Postmasters would handle no letters till they had been seized with a tongs and steeped in vinegar. Innkeepers would admit no traveller till he had shown beyond a doubt that he did not come from the infected city. But the saddest of all sights were the little children that, hungry, orphaned, and homeless, wandered through the streets. No one would feed them. None would go near them. One, half dead from starvation, was found in a deserted blacksmith-shop. Then the authorities, moved to pity, rented a house, and thirteen were soon being cared for. Still the number went on growing, and the Loganian Library was procured for a temporary shelter. There sixty were placed. Forty more were given to

servations sur les Causes et les Effets de la Maladie Epidémique qui a régné à Philadelphie, depuis le mois d'Août jusque vers le milieu du mois de Décembre de l'année 1793. Par Jean Deveze, p. 27. The services of Peter Helm were equally great.

wet nurses. In all, one hundred and ninety orphaned children were fed and clothed.*

At New York the terror was as great as at Philadelphia. The Governor in one proclamation commanded ships from that city to come no nearer than Bedloe's Island.† In another he named Friday, the twentieth of September, as a day of fasting, humiliation, and prayer, and every one kept it. ‡ On the thirteenth of the month the merchants held a meeting at the Tontine Coffee-House, discussed the dangers which threatened them, and ended by begging the proprietors of the southern stages to cease running their coaches.# But to ask them to stop their trips at a time when business was most brisk was, the coach-owners thought, out of all reason. The request, therefore, went unheeded. The health committee followed the example of Trenton ‖ and Baltimore, and posted handbills forbidding communication with Philadelphia to go on.^ The owners of the shallops and pirogues that plied between the city and Paulus Hook were urged at the same time to land all travellers at the public wharf between sunrise and sunset. ◊ The citizens were cautioned not to take strangers into their houses, not to buy bedding at vendue, and to spare no pains to hinder the wicked attempt to smuggle in goods bought from the merchants at Philadelphia. When the news of these proceedings reached Philadelphia, the people were greatly incensed, and loudly

* My authorities for the description of the state of Philadelphia during the plague are: A Short Account of the Malignant Fever lately Prevalent in Philadelphia; with a Statement of the Proceedings that took Place on the Subject in Different parts of the United States. Mathew Carey, 1794. An Account of the Bilious Remitting Yellow Fever as it Appeared in the City of Philadelphia in the Year 1793. Benjamin Rush, 1794. A Narrative of the Proceedings of the Black People during the late Awful Calamity in Philadelphia in the Year 1793, and a Refutation of some Charges. By A. J. and R. A., 1794. Recherches et observations sur les causes et les effets de la maladie epidémique, etc. Jean Deveze. Rush Manuscripts. Dillwyn Manuscripts. Mention, too, should be made of a little pamphlet entitled An Account of the Terrible Effects of the Pestilential Infection in the City of Philadelphia, with an Elegy on the Deaths of the People. Also, A Song of Praise and Thanksgiving, composed for those who have recovered after having been smitten with that dreadful contagion. By the Honorable Samuel Stearns, J. U. D., Providence, 1793.

† New York Journal, September 14, 1793.

‡ Ibid., September 18 and 21, 1793.

Ibid., September 14, 1793.

‖ Ibid., September 25, 1793.

^ Ibid., September 18, 1793.

◊ Ibid., September 28, 1793.

accused their brethren at New York of inhumanity and coldness of heart. The hand of every man did indeed seem to be against them. On the great roads where, but a few weeks before, the traveller was never out of sight of the dust-clouds of passing wains, the grass sprang up and flourished. It was only by the most devious routes that a coach could come in or go out of the city. It was only in consideration of immense sums that a post-rider could be found hardy enough to sit before a small bag of letters full of prayers for help. Whole streets were deserted. The play-house was shut. The circus was closed. The newspapers were no longer printed in the city. No purchases were made at the shops. No business was done at the bank. No ships quitted the wharves. Not a morning came but some familiar face was missed by the little band of frightened men that gathered at O'Eller's Coffee-House, or stood about the door of the Green Tree inn. The burying-ground was declared by one who saw it to look like a newly ploughed field.* Through the hot weeks of September the daily death-rate increased with appalling rapidity. On the eighth of October it was one hundred. On the eleventh it stood at one hundred and nineteen. Then the weather grew a little cooler, and the death-list began to shorten, till, by the close of November, the fever had so much abated that the citizens felt it safe to return. Then shops and houses were opened, and the streets wore their old looks. But it was long before one of the absentees could ask after an old friend or a boon companion without hearing the details of a shocking death. Four thousand and forty-four human beings are known to have perished of the fever in four months. Indeed, it is said that to the end of the year no exclamation was so often heard in the coffee-houses as the cry, "What! you here?"

When deaths of yellow fever no longer occurred, every old man whose wits were clouded by the superstitions of the time began to hunt up causes and recall omens and signs of the plague. One remembered how, a year before, two strangers had come into the city, had stood up in a religious meeting, and had told their hearers that, upon the corners of many streets and over the

* Carey, p. 71. See, also, Dillwyn Manuscripts, 10 mo., 4, 1793.

doors of many houses, they plainly saw the word Death.* Another told how a farmer of Chester had gone into his barn one morning, had noticed a terrible stench, had called a neighbor, and, when the two went in, had heard the words, "Go and warn the Philadelphians of the dreadful calamity that awaits them." This they did, and were well laughed at.† Another had observed that the pigeons were very plentiful in the spring of 1793, and every one knew this to be a sure sign of a sickly summer. ‡ A third had dreamed a dream. It took place, it was true, twenty years before. But that was of small consequence. An object clad in bright raiment had placed the dreamer on the roof of the State-House, and had shown him the endless procession of black horses dragging black carts full of dead, and the huge black tun whence the plague rose in a black cloud toward heaven.# A voice had been heard crying in the streets and warning the people to prepare for that doom written in the twenty-seventh chapter of the book of the prophet Ezekiel. Two angels had talked with the city watch. ‖ There were others, however, who declared that the true cause of the fever was the theatre.^ At last the people of Philadelphia had persuaded the Legislature to license a play-house. But not content with a small one, they were determined to have the

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* See a pamphlet called The Foretokens of the Pestilence and Sickness which befell the Philadelphians as it was warned to a Previous Inhabitant of this State many Years Ago, and re-warned again some Time Past. Also, Signs and Tokens of its Awful Approach. Yet another instance of this kind is mentioned in the Dillwyn Manuscripts.

† Ibid.

‡ A Short Account of the Malignant Fever lately Prevalent in Philadelphia, etc. Mathew Carey, p. 47.

The Foretokens of the Pestilence, etc.

‖ National Gazette, October 23, 1793.

^ See Thoughts on the Erection of the Theatre in 1793.

"As we love tragedy or farce
More than the sacred Laws of God,
We may have one for to rehearse
In ears of nations far abroad.
Our children may have yet to tell
Of those our deeds on future days,
How that their guilty fathers fell,
For lusting after BALLS and PLAYS."

A Leisure Hour; or, a Series of Poetical Letters, mostly written during the prevalence of the yellow fever. By a citizen of Philadelphia (John Purdon).

largest and the finest in the land. Subscriptions were opened, a site chosen, and the building pushed forward with such rapidity that the carpenters had been induced to work on the Sabbath day. What wonder was it that a divine visitation had followed? Was it not Philadelphia where fathers had willingly paid down three hundred dollars for the right of free access with wife and children to the plays? Was it not Philadelphia where, during the late summer, men were so eager to see the rope-dancing and the shows that one could scarce pass along the streets because of the crowds going and returning? Was it not in Philadelphia that an infidel had been suffered to stand Sunday after Sunday in a dance-room and deny the divine birth of Jesus?* Men who supposed such sins could long go unpunished knew little of the ways of the Lord. It was for this that thousands of scoffers and Sabbath-breakers had been stricken with the plague.

Among much else that perished in that terrible autumn was the National Gazette. The publication had been suspended while the fever raged, and when it had passed, Jefferson was about to resign, and the Gazette ceased to be printed. When Washington learned that his table was no longer to be burdened with the three copies Freneau had sent him daily, he was greatly pleased. Yet this was but one of a series of events over which he had much cause to rejoice. During the whole summer not a week had slipped by but the mails brought a dozen addresses from shipping towns, thanking him for the proclamation and promising that neutrality should be strictly kept. The merchants at Philadelphia led off in the good work on the seventeenth of May. Those at Boston followed on the twenty-second of July. On the eighth of August, the very day after Genet was welcomed at New York with bell-ringing, with cannonading, and with cheers, the shippers and traders of that city assembled in front of Trinity Church and declared for neutrality in language every Federalist delighted to read. And now addresses came in hard upon each other from Beverly, from Salem, from Hartford, from Newark, from Princeton, from Baltimore, from

* A Short Account of the Yellow Fever in Philadelphia for the Reflecting Christian. By J. H. C. Helmuth, minister of the Lutheran Congregation.

Alexandria, from Richmond, from innumerable towns where, but a few months before, the people had lined the roads to stare and shout as the French Minister hastened by. The Federalists were triumphant. The Republicans were dismayed. And well they might be. At the very moment the Republicans were laboring with unwonted zeal to bring over the people to the cause of France, every Frenchman in the fifteen States seemed bent upon preventing them. The Minister, the consuls, nay, the sailors on the frigates that rode at anchor in the havens, could not let a week pass by without offering some affront to the President, to the Government, or to citizens of note.

Early in August the French war-ship La Concord sailed round Cape Cod and made for the harbor of Boston. For a few days she lay in water then put down on the maps as Light-House Channel. But, early on the morning of August seventh she weighed anchor and moved up the bay. When off Castle Island a Federal salute of fifteen guns gave notice to the citizens that she would soon be off the city. Instantly the hill, the wharves, the house-tops that commanded a view of the water, were crowded with men waving their hats and canes, and testifying their delight in shouts and huzzas; for the ship was, says an eye-witness, the first to enter the harbor "from their friends the Gallican Republicans." * Yet La Concord had not been two weeks in port when a huge white placard appeared one morning nailed to the mainmast. The townsfolk were for a while at a loss to know what this meant. But they soon learned that on the card were the names of eleven of the first characters of the town, that they were denounced as aristocrats, as men unfriendly to the French Revolution, and averse to having American citizens serve on French privateers.† It had been long since so indecent an act had been committed in the city. The people were much incensed. The eleven demanded the names of their accusers. ‡ The French Society made haste to disavow the conduct of their countrymen, and the captain of the frigate declared upon his honor that it had been done without his knowledge, and while he was on shore.# In Oc-

* American Daily Advertiser, August 13, 1793.
† Ibid., August 19, 1793.
‡ Ibid.
# Ibid.

tober, however, he became engaged in an act more outrageous still.

An English craft, taken within the waters of the United States, was sent into the port of Boston by a French privateer. The owners claimed the capture was illegal, libelled the vessel, and a United States Marshal was ordered to serve the writ. He climbed up the side of the schooner, found but one man on board, made known his business, and, on a hail being given, the prize-master and the lieutenant of La Concord started for the ship. It was then nine at night. The lieutenant denied the Marshal's right to serve a writ of replevin after dark, and went back to the frigate. In an hour or two twelve armed marines came from La Concord, boarded the schooner, weighed anchor, and soon had her lying between the guns of the frigate and a French privateer. At midnight Antoine Charbonet Duplaine, the French Vice-Consul, came to the ship and told the Marshal the prize-master should hold her, which he did for the space of three days. Then La Concord sailed away; the Marshal got assistance and drew the schooner to the wharf.* For this offence Washington revoked the *exequatur* of Duplaine.† Citizen Dannery, the Consul, protested. ‡ Genet, burning with anger, made haste to address to Mr. Jefferson an insolent note. He did not, he wrote, recognize the validity of the proclamation. He had, thank God, forgotten what such hired jurisprudents as Grotius and Puffendorf and Vattel had said upon the subject in their worm-eaten writings. But he well knew the President had overstepped his authority. The Constitution gave the Executive the right of recognizing foreign ministers, but not the power of dismissing them. Genet, therefore, had the impudence to demand that the conduct of Duplaine should be looked into by the sovereign State of Massachusetts.#

This singular note was scarcely in the hands of the Secretary when an act was done at Philadelphia which placed the

* Sworn statement of the Deputy Marshal, September 10, 1793. See, also, the documents accompanying the President's Message of December 5, 1793.

† Proclamation of the President, dated October 10, 1793.

‡ See his letter to Citizen Adams, Governor of Massachusetts. New York Journal, November 27, 1793.

New York Journal, October 30, 1793.

French in a still worse light. The fever had so much abated that the citizens had ceased to fear death and had begun to think of politics, and while they were in this frame of mind the ship Rebecca, Benjamin Wyate master, sailed up the Delaware and began to break bulk at one of the wharves. She came from Cape François, and had on board as a passenger a man whom the refugees declared had done atrocious deeds at St. Domingo. Some members of the French Society, therefore, determined to have revenge. They met, accordingly, one morning in November, boarded the Rebecca, lured their victim on deck, cut him off from the cabin, and fell upon him with sticks, swords, and fists. Having soundly beaten, they threw him into the water, and, when in the water, pelted him with stones; indeed, he would have been killed had not some by-standers interfered and carried him off to the City Hall for protection. There a great crowd gathered and demanded that the wretched man should be given up; but the authorities stood firm, and a day or two later the Mayor in a proclamation called on all good citizens who saw the riot to give the offenders' names.*

The same day that this disturbance happened at Philadelphia a circular letter came out at New York. The refugees from St. Domingo were told that they had been formed into a corps of volunteers, and all of them who wished to serve the Republic were urged to leave their names at once with the French Consul at New York, an act which was clearly a violation of neutrality. †

Thus every mail that went out from Boston, from Philadelphia, from New York, was heavy with letters and newspapers containing accounts of the many ways in which the French defied the Government and set its laws at naught. And now, that nothing might be left undone to ruin the French cause in the States, Genet began a most ill-timed and intemperate attack upon Washington. His threat to appeal from the President to the people had appeared in print. This speech was repeated by Dallas to Hamilton and Knox. By them it was carried to John Jay and Rufus King, and, the

* New York Journal, November 13, 1793. The riot took place on the eighth

† Ibid., November 9, 1793.

story getting out, these gentlemen were asked when they returned to New York if it were true. Their answer was always Yes. Thus confirmed, the friends of Government spread it far and wide through the press. The Republican newspapers denied the story, and called loudly for the names of the black-hearted Anglicans and aristocrats who started it. At this juncture Jay and King came forward, and under their own names assumed all responsibility for the story, explained that it had been told to them while at Philadelphia, and that they believed every word of it to be true.* The card came out in The Diary, was copied by every paper in the country, and brought forth innumerable replies. Some, convinced by the respectable names at the foot of the note that Genet had made the threat, sought to soften and explain the insulting passage. Citizen Genet, they said, was a foreigner. English was not his native tongue, and it was sheer folly to insist that he should speak, like a school-master, by the dictionary and the grammar. How would some of these carpers who were so troubled with Anglomany like to be put down in France, and, after a four months' residence, be denounced for not using the language with all the exactness of a Parisian? Would every word they uttered be just the one for the place, and express their meaning to a nicety? No! In truth, they would be lucky men if they did not bungle worse than the French Minister had done. Especially would this be so when they were angry. Citizen Genet had been angry. He came of a high-spirited race. He had been irritated beyond endurance, and, in a moment of excitement, let fall the innocent remark of which so much was being made. A great deal depended again on the way in which he said it. A tone, a gesture, an accent, could often change the whole meaning of a sentence. By the people he might mean Congress, or he might mean that the people would interpret the French treaty as he did.† But there were not wanting men to declare that the whole story

* New York Journal, August 14, 1793.

† See a piece by A Citizen, New York Journal, August 14, 1793. See, also, in support of Genet, pieces by A Mechanic, New York Journal, August 10, 1793; One of the People, Ibid., August 21, 1793; and A Flatterer, Ibid., August 28, 31, and September 7, 1793.

was only one of the many libels on Citizen Genet that the friends to England were constantly putting forth. Ever since he landed in the country the papers had, they said, teemed with abuse of him; and now, not content with anonymous scurrility, the officers of the Government have come forward, and, by ambiguous and dark innuendoes, seek to ruin his public character and cut him off from the common civilities of life. Had half as much been said about the English Minister, the printer would have been laid by the heels for libel, and the Federal judges would have been as unanimous against him as they were against poor Henfield. If Citizen Genet had really insulted the President, why did not the Executive resent it? If the people were to do this, why was not the Minister's offence clearly stated? Were they to pronounce judgment on the loose, jesuitical testimony before them? Mr. Jay and Mr. King would do well to have some one in daily attendance at the coffee-house to explain their card.*

But Genet was his own worst enemy. Smarting under the indignation of the people at his behavior to the President, he wrote to Washington early in August. The letter was dictatorial. Some persons, wrote he, have declared that I have insulted you; that I have threatened to appeal to the people. As if you would suffer any one to insult you with impunity, or as if the slightest hint of an appeal, which a magistrate worthy of his high place should always desire, was to you the greatest

* American Daily Advertiser, August 21, 1793. "Anti-Gallican Federalist." Many years later, when a new generation had grown up, Genet published his version of the affair in the Albany Argus: "The Republicans had a meeting in the Park to make arrangements for my reception. The Federalists and all the English interest opposed it. King ascended the hustings and said that he arrived from Philadelphia with John Jay, and would prove that I was at variance with the President and had threatened to appeal to the people. He was laughed at by the multitude, and in the evening he put in the paper a certificate, signed by him and John Jay, affirming the existence of the threatened appeal. On my arrival, the committee who had come to address me mentioned with ridicule that certificate to me. I read it, took the pen, and sent to all the papers a military denial of the lie. The certificate men did not like the mode of settling the matter which that step seemed to require, and published that they had got their information from Colonel Hamilton. Hamilton, hearing of it, published that he had got it from General Knox; Knox said he had it from Governor Mifflin; Mifflin said he had it from Mr. Dallas; and Dallas settled the point as I have mentioned." Albany Argus, August 3, 1823.

offence I could be guilty of. I dare, therefore, he went on to demand, venture to expect from you an explicit denial, a statement "That I have never intimated to you an intention of appealing to the people." * Three days later he received a cold reply from Jefferson. It was not the custom, the Secretary reminded him, for diplomatic characters residing at Philadelphia to have direct correspondence with the President. The Secretary of State was the channel through which such notes should pass. The letter ended with the statement that the President did not think it within the line of propriety or duty to bear evidence against a declaration which, whether made to him or others, was, perhaps, immaterial. The correspondence soon found its way into the newspapers,† and was read with disgust in every town and hamlet in the country.

In Philadelphia Genet's most ardent followers deserted him, and the cause of France was ruined. ‡ Throughout Virginia this feeling became so strong that Madison took the alarm, sought to induce the people to discriminate between the French Minister and the French Government, and sent to his friends in many places a set of resolutions to be used at county meetings.# In a letter from South Carolina, Moultrie plainly told him that his behavior had deeply offended the friends to France. He had insulted a character the whole country held in high respect. ‖ To this plain language the Minister sent back a flat denial and a compliment. He despised King and Jay; he was sorry to see General Washington in the hands of bad men whose schemes would darken that great man's glory; he was sure the brave General Moultrie would never regret having been the first American to recognize the envoy of the French Republic.

But warnings and expostulations were alike useless. Genet

* New York Journal, August 24, 1793. The letter bears date August 13th.

† Ibid., August 24, 1793.

‡ "His conduct has been that of a madman. He is abandoned by his votaries even in Philadelphia. Hutchinson declares that he has ruined the Republican interest in that place." Madison to Monroe, September 15, 1793.

Madison to Jefferson, September 2, 1791. In the same letter he declares: "These sentiments (surprise and despair at the conduct of Genet) are powerfully re-enforced by the general and habitual veneration for the President."

‖ New York Journal, October 23, 1793.

was bent upon ruining himself, and he now began to act more foolishly than ever. In a note to Randolph, who filled the place of Attorney-General, a demand was made that the Government should prosecute Jay and King for libel.* He was civilly assured that the Attorney-General would do nothing of the kind, and that, if he felt himself to be an ill used man, he must seek his remedy in the State courts. Then he went into a passion, denounced Randolph, declared he would appeal to the judges of the Supreme Court, and, if they refused to right him, would cover himself "with the mantle of mourning and say, America is no longer free." † But his days were numbered. A request for his recall had already gone over to France, and when February, 1794, came, a new minister appeared. Genet, however, never went back to Paris. His friends the Girondists had fallen from power; he had, moreover, married the daughter of Governor Clinton. He continued, therefore, to live in his adopted country, fell from public notice, nor was his name often mentioned till his death in 1836 brought back for a few days the recollection of the stormy times of 1793.

Meanwhile new evidence of his misconduct began to come out fast. During the whole summer hints, rumors, and scraps of information had been brought to Jefferson, which convinced him that the agents of Genet were busy in the South and West. Two great armies, he was assured, were being raised, armed, and drilled. One was to set out from Kentucky, float down the Mississippi, and lay siege to New Orleans. Another, made up of the settlers in the back country of the Carolinas, was to march across Georgia and attack the Floridas; indeed, in South Carolina it was openly asserted that five thousand men had been enlisted to serve in the cause of France. So likely did this seem that the Assembly, early in December, took up the matter and named a committee to investigate the whole affair. ‡ The evidence was plentiful, and before a week was out seven citizens of note were dragged before it at Columbia. They were charged with enrolling citizens of the State and exciting them to take arms in the

* New York Journal, November 27, 1793. † Ibid., December 28, 1793.
‡ Ibid., December 25, 1793.

service of France.* Nothing came of the inquiry, however, and one of the accused soon brought suit against the committee, and laid his damages at sixty thousand dollars.†

It was impossible in Kentucky to persuade the authorities to go through even the form of a prosecution. One day, in the early autumn, the Spanish commissioners notified Jefferson that plans were on foot in Kentucky for an expedition against the Spanish towns along the Mississippi. Jefferson, in turn, sent word to Governor Shelby. But the Governor smiled at the warning, declared that it was all a mistake, and thought no more of the matter till a month later he received information of a precise kind. On the morning of October second, the Secretary wrote, four Frenchmen had set out by stages for Pittsburg. Their names were Charles Delpeau, La Chaise, Mathurin, and Gignoux. They were going to Kentucky, and took with them, in their portmanteaus, money and commissions from the Minister of France. He then described them, and suggested that they should be bound over to keep the peace. Some weeks later Shelby replied. It was true, he said, that a commission had been sent to General George Rogers Clark to raise and equip an army. It was true that La Chaise and Delpeau had arrived, that they daily declared that money would soon be at hand, and that when it came an armed force would be put upon the waters of the Mississippi to clear it of Spaniards and restrictions alike. This, unhappily, he was powerless to prevent. Every citizen had a right to leave the State, and, if he were so minded, to take guns and powder with him. ‡

Jefferson denied this; nor is it likely that Shelby was deceived by so foolish a reason. It was, most probably, the best excuse for doing nothing that he could frame, and, poor as it was, it undoubtedly expressed the sentiment of the community over which he ruled. That hundreds of Kentuckians did not send in their names to General Clark, take down their guns,

* The arrests were made on Saturday, December 7, 1793. Ibid., January 11, 1794.

† The suit was brought by Stephen Drayton. Ibid., March 5, 1794.

‡ See A Message from the President of the United States transmitting certain Documents relative to Hostile Threats against the Territories of Spain in the Neighborhood of the United States, 1794.

leave the State, and lay siege to every Spanish town along the river from New Madrid to New Orleans, is due to a lack of what, in the language of the West, was then known as "chink."

The conduct of the horde of petty Spanish officials had become more overbearing and exasperating than ever. If the captain of a packet or a snow attempted, it was said, to take a cargo of hams or tobacco from some town on the Ohio to some port on the coast, he was treated as if he had fallen among the subjects of the Dey of Algiers. If the Indians did not attack him, he generally passed quietly down the river till he reached New Madrid. There he was sure to be brought to, his vessel boarded and searched, and a pass ordered.* This imposing document, covered with seals and scrawling signatures, cost one dollar and a half, and enabled the holder to go on to New Orleans. At New Orleans nothing would do but the whole cargo must be landed on the levee. When done, a duty of fifteen per cent was exacted on its full value, the goods forbidden to be sold, and if the captain wished to take them away he must pay another duty of six per cent for leave to re-ship them. In a word, twenty-one per cent was taken by the Spaniards from the value of every piece of American property they suffered to go out of the Mississippi river. Calling it twenty per cent, and supposing the dollar and a half paid for the pass to represent a like tax on the captain, it followed that the valuation placed by the Spaniards on each man of Kentucky was seven dollars and a half. This, in truth, was a most liberal appraisement of men who were content to bear such treatment.† And now the Democratic Society at Lexington took up the matter, held a meeting, and passed resolutions of a most intemperate kind. The members of the Society were resolved to demand, that was the word used, of the Federal Government to take such steps as would instantly give to the people of Kentucky the use of the Mississippi river. They would urge on their fellow-citizens *firmness* without regard to local interest or foreign tyranny, and finally they were determined to attempt the navigation of the river, to resent Spanish interference, and to demand of Congress to tell them plainly whether it would

* A description of one of these passes may be seen in American Daily Advertiser, August 24, 1793.

† Ibid.

abandon or protect the West.* So likely did it seem that the worst of these threats would be carried out, that a part of the cavalry legion were sent into Kentucky and put under the orders of Governor Shelby.

The remainder of the army wintered at Greenville, now a flourishing village, near the western boundary of Ohio, but then a fortified camp. It stood on a beautiful plain, overlooking the waters of one of the tributaries of the Stillwater branch of the Big Miami river. The country round about was a desert. As far as the eye could see, not a house was to be descried. To the northward no settlement was to be met with till Detroit was reached; to the southward the nearest settlement was Cincinnati; to the northeastward an uninhabited country stretched across Ohio and Pennsylvania and far into central New York. The sites of Springfield, of Dayton, and of Xenia were gently sloping plains, rank with thickets and grass and fringed with sycamores. To the westward lay the great plain of what is now Indiana. Only the territory along the banks of the Ohio was rapidly being cleared. Each year brought hundreds of settlers, whom neither Indian wars nor massacres could keep out. Each year saw new towns spring up on the river.

Yet a journey down the river was quite as hazardous as on the day when the first white man entered the valley. If the traveller were a settler coming from the East with his family and his goods, he would repair to Pittsburg, lay in a stock of powder and ball, purchase provisions for a month, and secure two rude structures which passed by the name of boats. In the long keel-boat he would place his wife, his children, and such strangers as had been waiting at Fort Pitt for a chance to travel in company. In the flat-boat, or the ark, would be the cattle and the stores. The keel-boat was hastily and clumsily made. The hold was shallow, the cabin was low. Over the stern projected a huge oar which, mounted on a swivel, was called a sweep, and performed all the duties of a rudder.† The ark‡ was of rough plank intended to be used

* New York Journal, December 21, 1793.

† Autobiography of Major Samuel Forman. Historical Magazine, December, 1869, p. 326.

‡ Harris. Journal of a Tour into the Territory Northwest of the Alleghany Mountains, made in the Spring of 1803, pp. 30, 31.

for building at some settlement where saw-mills were scarce. The shape was rectangular. The width was fifteen feet, the length was forty. In these craft, if the water were high and swift, if they did not become entangled in the branches of overhanging trees,* if the current did not drive them on an island † or dash them against the bank in a bend, if the sawyers and planters were skilfully avoided, and if no fog compelled the boatmen to lie to and make fast to a tree, ‡ it was possible to drift from Pittsburg to Wheeling in twelve hours.# Wheeling was a place of fifty log and frame houses, boasted of a stockade, and, in troubled times, of a garrison of one hundred and fifty troops. ‖ Below it, near the Muskingum, was Marietta. In the official language of the time it was described as being in the territory of the United States northwest of the river Ohio. But the phrase was too long for the boatmen and settlers, and, as they expressed it, Marietta was on the Indian side of the Ohio. Two hundred wooden houses of boat-planks or of logs made up the town. The inhabitants were lazy and given to drink, cultivated little land, and lived chiefly on venison, wild turkeys, and bread made of Indian corn.△ Food, therefore, was scarce and dear; nor was it always that the owner of a few bushels of "red potatoes" or a half-dozen barrels of flour could be induced to part with one even for money. Many a flat-boat man who stopped at the place to buy food went disappointed away. ◊ Still farther down the river, and just opposite the Little Kanawha, lay Belle Pré. Fifteen miles beyond was another cluster of cabins; but thence to the mouth of the Great Kanawha the country was a forest of "sugar-trees" and sycamores. All day long flocks of wild turkeys littered the trees overhead, ‡ and at times a bear or an elk might be seen swimming the river. ‡ At night the woods on every hand resounded with the bark of wolves. Then was it that the lonely emi-

* Autobiography of Major Forman.

† Ibid.

‡ Journal of a Journey through the United States, 1795–'96. Thomas Chapman, Historical Magazine, June, 1869, p. 357.

Autobiography of Major Forman.

‖ Chapman's Journal.

△ Ibid.

◊ Ibid.

‡ Ibid. Also, Forman's Autobiography.

‡ Autobiography of Major Forman.

grants were tormented by all manner of fears. To go on in the darkness was to expose the boat to being caught upon a planter or stranded upon an island. To tie fast to the bank was, in all likelihood, to become a mark for Indian bullets before day. If the dread of being wrecked overcame the dread of being shot, the fires were put out, the sides of the cabin protected with blankets and beds, and while some tried to sleep within, others stood upon the deck, axe in hand, ready to cut the ropes at the first sound of the approaching foe.

Close to the mouth of the Great Kanawha, but on the Indian side of the Ohio, stood a hamlet long an object of interest to passers on the river. There the houses did not present the straggling appearance of a western town, but were arranged with all the regularity of a European city. Gallipolis was the name of the place, and a stranger who landed there without a knowledge of French found it hard to make himself understood.

The founding of Gallipolis goes back to one of the earliest and most shameful pieces of land-jobbery that has ever disgraced our country. While the New England Ohio Company was urging Congress to sell it lands upon the Ohio, the offer of purchase was extended to take in another company, since famous as the Scioto. Who composed the Scioto Land Company can now, perhaps, never be fully known; but it is certain that Manasseh Cutler's statement that "many of the principal characters of America" * were concerned in it is true, and it is highly probable that among them were Duer, Lee, Cragie, and St. Clair. Be this as it may, the company no sooner got its lands than an agent was sent over the sea to procure emigrants. The agent was Joel Barlow, now remembered as the author of some of the most detestable verses in the English tongue. Barlow repaired to Paris, and there, just after the opening of the French Revolution, he began to sell title-deeds to estates in the West at five shillings the acre. The accounts which he gave of the country were worthy of the pages in which Sir John Mandeville describes the tree that grew mutton, and the man who found in the shadow of a single foot a refuge from the fierce rays of the sun. Every

* Cutler's Journal, July 27, 1787.

purchaser was assured that he would soon find himself in the most salubrious of climates and on the most fertile of soils, in a land where there were no grinding taxes to pay, no military enrolments to fear, no soldiers to live on them at free quarters. In the forests were neither wolves nor foxes, bears nor tigers. Past their land flowed a river well called Ohio, "The Beautiful." In its waters were enormous fish. Along its banks grew majestic trees, out of whose sides ran sugar, and bushes whose berries yielded wax. Nay, he even had the face to say that in a land where every winter the thermometer goes far below zero such a thing as frost was hardly known! *

With this picture before them, numbers of Frenchmen made haste to sell what little stores of worldly goods they had and buy lands in America. Before the close of 1791 five hundred emigrants from Havre, from Bordeaux, from Nantes, and from Rochelle were on the sea. Some could build coaches, some could make perukes, some could carve, others could gild with such exquisite cunning that their work had been thought not unworthy of the King.

As the first ship-load were about to set sail from France, Barlow sent them some word of encouragement. They were under the charge of a man named Boulogne, and to him the note was addressed. He was bidden to inform the gentlemen proprietors of lands on the Scioto, soon to go out on the first ship, that each was to receive a house-lot and a right to the commons in the city they were about to found. This was to encourage them to go on in their generous and glorious enterprise, and to reward them then for the patience and good behavior they had exhibited since leaving Paris. The lots were to join each other, and be laid out in two squares in the heart of the city. For one, Barlow suggested the name Premier Coup, and for the other, Étrenne. He then gave them some good advice, and closed his note by saying that he considered them as the fathers and founders of a nation. Their names would be carved on the trees along the banks of the Ohio, cut

* See Volney's account of Gallipolis. View of the Climate and Soil of the United States of America, pp. 355–366. Also, Nouveau Prospectus de la Compagnie du Scioto, avec plusieurs extracts de lettres, écrites du Scioto même en date du 12 Octobre, 1790.

upon the stones that should form the walls of their future city, written on the hearts of their posterity, and not one forgotten.* The emigrants, calling down blessings on Barlow, set sail. The voyage was rough and tedious, and, long before the ships entered the Potomac and touched the dock at Alexandria, the gentlemen proprietors were the most unhappy of men.† Home-sickness, sea-sickness, bad food, bad water, and the petty jealousies which spring up in every band of men, had done their work.

Meanwhile an agent was dispatched by Duer to meet them. ‡ He was strictly enjoined to make himself known to the French Superintendent Boulogne, and to no other. He was to have no knowledge of Mr. Barlow or his agency in Europe. He was to see to it that the people gave out that they were going to the Muskingum. The purpose of the company seems to have been to march the settlers over the mountains to Red Stone Old Fort, and send them thence by water to their lands on the Scioto river. It was March when they landed; but the summer was well advanced when they set off for the Ohio. Some delay was caused by the badness of the roads, and some by the scarcity of provisions. One letter from Lumrill's Ferry, on the Youghiogheny, assured Duer that Indian corn was one dollar and thirty-three cents a bushel, that flour stood at eight dollars a barrel, and that very little was to be had at these prices even for cash in hand.# Another, from Wellsburg, at the mouth of Buffalo Creek, urged him on no account to let the Frenchmen come over the mountains till the harvest was past. ‖ At the same time came news from Alexandria of the most disheartening kind. There all was confusion. Boulogne, who has been pronounced by those who knew him to have been a rascal and a knave, was busy persuading the people not to

* Duer Manuscripts, No. 197. New York Historical Society.

† On Monday, May 3, 1790, the ship Patriot, from Havre de Grace, in seventy four days, reached Alexandria with two hundred passengers. "We are informed they are on their way to the western country, and that a much larger number may hourly be expected in the Potomac." Virginia Gazette and Alexandria Advertiser, May 6, 1790. On May 15th the ship Liberty, from Havre, in sixty days, arrived with one hundred and twenty.

‡ Duer Manuscripts, No. 200.

Ibid., No. 206.

‖ Ibid., No. 204.

go. Some had lost clothing, some had lost baggage, and now begged the Scioto Company to pay them for their losses. All agreed that the land to which they were come bore no likeness to that land of promise for which they had set out. They longed to be again in the dingy shops, and to see again the familiar streets and the familiar faces they had left behind them. They murmured against Barlow, against Duer, against the agent sent to lead them into the wilderness. They filled every mail with letters of complaint.* A few took refuge with the French Minister and were sent home. When the time came to march, a faction, led on by two noisy brawlers, refused to leave Alexandria. The rest did not want to go without them, and demanded that, if their refractory countrymen failed to overtake them at Winchester, those who wished should be sent back at the cost of the company.†

Ignorant of the language, knowing nothing of the ways of the people or the directions of the roads, they travelled without concert, and, after innumerable trials, reached the spot described in their deeds. But they reached it to learn that those of whom they bought did not own a foot of land, that they had sold their goods and quit their homes in France to come to a country they knew not how to cultivate, and at a time when a foe they knew not how to fight was carrying ruin to every white man's door. Thus left without food, without money, without land, and in hourly danger of an Indian attack, their plight was indeed unenviable. But that buoyant temper for which the Celtic race is justly famed kept them up, and they soon had a clearing made, two solid blocks of log cabins put up, and here and there a kitchen-garden laid out. The

* Quelques Français venus en Amérique, ont fait à la compagnie des reproches assez & tous denués de fondement. En voici l'origine. La compagnie ne pensant pas que l'émigration seroit aussi considérable & aussi rapide, n'avoit fait aucune disposition pour recevoir les émigrans, rien ne s'est trouvé prêt a leur arrivée, & ils n'ont même vu, pendant les premiers jours qu'ils ont été à Alexandrie, personne pour leur repondre." Nouveau Prospectus de la Compagnie du Scioto, p. 16.

† Duer Manuscripts, No. 207. J. Guion to W. Duer. This Guion afterward committed suicide. Maryland Gazette, May 12, 1791.

For an account of an affray between the farmers and the Frenchmen near Winchester, see Virginia Gazette and Alexandria Advertiser, October 7, 1790: also, Virginia Centinel, September, 1790. Maryland Gazette, October 28, 1790.

labor which this cost them was immense. The land was covered with a growth of those huge sycamores for which the valley of the Ohio is still renowned. To fell one of these is, even now, no slight matter for a skilled backwoodsman armed with that most splendid of all cutting tools, the American axe. But to the gilders and carvers, the coach-makers and peruke-makers, with the rude implements at their command, the great trees were a hundred-fold more formidable. When the first was to be cut down, a dozen settlers tied ropes to its branches, and, while they tugged and strained, as many more, with axes and hatchets, knives and chisels, chopped at its roots. Nor were their troubles at an end when it fell. The huge branches cumbered the ground more than ever. The trunk was too big to cut up, and too green to burn. They determined, therefore, to bury it, and while some lopped off the branches, others dug a deep trench, into which, by dint of patient labor, it was rolled and covered up.*

At the end of a year their condition became more desperate than ever. Food gave out, and they were forced to beg or buy it from the emigrants that went by on the river.

In the spring of 1792 the Indians carried off one of their number. The settlement was instantly filled with alarm. A meeting was called, and the question, "Shall we go or stay?" again debated. Nothing was spared that could excite them. They were reminded that they were on the lands of the Ohio Company and might any day be driven from their homes; that the Indians, long so friendly, had become hostile; and were likely any night to drive off the few head of cattle and take the scalp of every inhabitant in the town; that even friends at home had forgotten them, for no letters had ever reached them since they came into the valley. This, it was said, was easily explained. Their friends still remembered them, and letters still came. But Mr. Duer kept them back. The speaker had talked with a man who had himself sat by and seen Duer open letter after letter and then throw it away. He had begged to be allowed to take them to Gallipolis, but Duer would not let them come.† Excited by such tales, and alarmed by the pros-

* American Pioneer, vol. i, p. 95.

† B. J. D. La Ture to W. Duer, Cincinnati, March 19, 1792. Duer Papers,

pect of an Indian massacre, some plunged into the forest and pushed on to Detroit. Some went to Kaskaskia. A few remained. A traveller who saw the place later describes Gallipolis as "a Small, miserable-looking Village of upwards of 100 little wreached Log Cabbins." The inhabitants, he declares, were "poor, starved, sickly looking Frenchmen," with "Starvation and Sickness strongly pictured in their faces." * Every spring and autumn they were tormented with fever and ague, for they drank no water save what they drew from the Ohio, and were too indolent to drain the stagnant pools that surrounded them on every side.† In 1795, such was their misery that Congress gave them twenty-four thousand acres of land opposite the mouth of the Little Sandy river. Three years later twelve hundred more were added, and named "The French Grant."

Between Gallipolis and Cincinnati the boatmen passed Limestone, Newport, and Columbia, but the most thriving of the three did not number seventy log and frame houses. Below Cincinnati the country that lay on each side of the river was unbroken to the falls of the Ohio. ‡ At every bend and turn Indians lay in wait for the unwary traveller. But no spot was so dreaded as the mouth of the Scioto river. There the Indians had a cave, long unknown to the white men, and

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vol. ii, Manuscript No. 256. "Discontent and discouragement are gaining fast on the settlers. The coldness and delay of Government with respect to the protection of the Western Country makes them fearful that the war will continue a long time, and the loss of a number (of) cattle and horses, and one man, taken about three weeks ago, renders them mistrustful of the partiality they before believed the Indians entertained toward them; one other thing that inquiets them is their being on lands of the Ohio Company." Letter to W. Duer, Marietta, April 5, 1792. Duer Papers, vol. ii, Manuscript No. 251. The story of the withheld letters is mentioned in this letter also.

* Journal of a Journey through the United States, 1795–'96. Thomas Chapman, Historical Magazine, June, 1869, p. 360.

† Ibid. Volney, who saw Gallipolis in 1796, says: "I was struck with its wild appearance, and the sallow complexions, thin visages, sickly looks, and uneasy air of all its inhabitants." View of the Climate and Soil of the United States of America, p. 359.

‡ "The Country, a dense wilderness to the Falls of Ohio, except a small Vineyard, attempted to be made by a French Gent^{n}, a few miles above the Falls." Autobiography of Major Samuel S. Forman. Historical Magazine, December, 1869, p. 327.

thence they sallied forth at the approach of every keel-boat and ark.* At the falls stood Louisville. The streets were regular. The houses, of boat-planks and logs, were few and small. But for energy, for activity, for jollity, the place had no rival on the Ohio. Travellers from the more decorous towns of the East were shocked at the balls, the drinking, the fighting, and the utter disregard paid to the Sabbath day.† But all agreed that the inhabitants were most whole-souled and hospitable. The favorite drink was eggnog. The favorite pastime was billiards, and every morning numbers of young women, escorted by the young men, gathered about the one billiard-table in the town.‡ If a stranger of note put up at the only tavern and gave out that he was come to stay some time, he was sure to be called on, as the phrase was, to sign for a ball.# When the night came the garrison at Fort Jefferson would furnish the music, ‖ and the managers would choose the dances. The first was usually a minuet, and, till his number was called, no man knew with whom he was to dance. This over, each was at liberty to choose his own partner for the first "volunteer." △

The falls of the Ohio seem, from such evidence as can be collected, to have been less an obstacle to navigation then than at present. Much of this is due to the rude kind of boats then in use. Much, also, is to be ascribed to the great change which civilization has produced in the physical features of the

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* "The mouth of the Scioto river was a very dangerous place to pass . . . The cause why the Scioto was such a dreaded spot, the Indians had a secret cave to hide, which was never discovered until after the war." Autobiography of Major Samuel S. Forman, Historical Magazine, December, 1869, p. 326.

† "One Sunday morning, when we all came in to breakfast, they observed my Store was not opened, and asked the reason *why*. I answered, Because it was Sabbath day. Oh! they replied, Sunday had not yet come over the Mountains. Yes, I answered, it had, that I brought it with me. Well, said they, you are the *first* person who has kept his Store shut in this Village on the Sabbath day." Ibid., p. 328.

‡ "Directly opposite to my Store across the street was a Billiard Table; in the mornings, some times, two or three young Ladies at a time honored me with a call to take a game, that being a fashionable amusement for them—no gambling, only the gallant had the pleasure to foot the Land Lord's bill, & that was but a trifle considering the honor." Ibid., p. 328.

Ibid., p. 327. ‖ Ibid., p. 327. △ Ibid., p. 327.

country. Millions of acres of land now under high cultivation were then swamps and forest. Water, now collected by innumerable drains and ditches and hurried, in a few hours, through brooks and streams to the Ohio, would then have lain long in the marshes and woods, and gone by slow degrees to the creeks and streams. Fed gradually, instead of suddenly, the river was less subject to low water, and boats seem, even in the dry months of the year, to have been able to go down the falls with ease. The landlord of the Louisville tavern was for many years the pilot.* Below the falls was "the low country." Few emigrants had as yet gone into it, and a boat that passed Louisville seldom stopped short of New Madrid or Natchez. When the Mississippi was reached, all fear of the Indians ceased. But the dangers of navigation increased. If a head wind blew, the water became so rough that the clumsy boats grew unmanageable.† Sometimes the bayous would suck them in, and hours be spent in getting them out. Planters and sawyers were more numerous than in the Ohio, and at times, when a boat made fast to the bank, the earth would cave in and destroy it.‡

Of the Mississippi above the Ohio no accurate geographical knowledge had been gained. Exploration had been carried as far as the Falls of St. Anthony; but the source was still unknown. On the best maps then made the course of the river above the forty-fifth parallel is put down as "the Mississippi by conjecture." One geographer ascribes three sources, and calls them Marshy Lake, White Bear Lake, and Red Lake.# Another is content with two.‖ A third, opposite the forty-fifth parallel, declares: "Thus far the Mississippi has been as-

* Autobiography of Major Samuel S. Forman. Historical Magazine, December, 1869, p. 328.

† Ibid., p. 330.

‡ "The country on either side appeared lower, in many places, than the river, & in some places a low place called bayous would suck boats in a few Rods & give immence trouble & expence to get them back, if ever; these bayoes & the Sawyers & planters have destroy'd many boats as I understand, & also, after boats have laid to, the banks have caved in upon them." Ibid., p. 331.

See Fadens's Map, 1793. The streams running from Marshy Lake and White Bear Lake are there marked "the Mississippi by conjecture."

‖ "An Accurate Map of the United States of America according to the Treaty of Peace of 1783." Smith, Reid, and Wayland.

cended," and traces the river to White Bear Lake.* By the treaty of peace it was decreed that part of the northern boundary of the United States should be a line running due west from the Lake of the Woods to the Mississippi. Over that splendid country east of the great river, and now embodied in the States of Michigan, Wisconsin, and the northern parts of Indiana and of Illinois, Indians, Jesuits, and buffalo roamed at will.†

Between Gallipolis and the Great Lakes there were no towns. At Chillicothe was an Indian village. Columbus had yet to be founded. Along the lake neither Toledo, nor Sandusky, nor Cleveland, nor Erie existed. Forty years before, a band of Frenchmen had stopped at the site of the present city of Erie, had made a clearing, put up a rude fort of chestnut logs, and called it Fort Le Presque Isle. It was the first of that famous chain of forts which the French drew from their settlements on the St. Lawrence to the Ohio. But in 1760 the British took it; in 1763 the Indians destroyed it, and the place once more became a wild,‡ and was still one when, in 1792, Pennsylvania bought the site and all that country which lies between Lake Erie, New York west line, and the forty-second parallel of northern latitude. South of "The Triangle," as this piece

* A correct Map of the United States of North America, including the British and Spanish Territories, carefully laid down agreeable to the Treaty of 1784, by T. Bowen, Geogr. Banks's System of Universal Geography.

† When the eighteenth century was far advanced buffaloes were still plentiful on the Lake Erie shore. "Buffalo," says a French explorer, "are found on the south, but not on the north shore." Documents relating to the Colonial History of the State of New York, vol. ix, p. 885. So plentiful were they that what is now Oak Orchard Creek, in Orleans County, New York, was called Rivière aux Bœufs. Ibid., p. 886. Westward, in what is now Ohio and Indiana, great herds were to be seen wandering so late as 1750, and from their hair the Indians made garters, belts, and sashes. Ibid., pp. 890, 891, also vol. x, p. 230. But they speedily disappeared. The last known to have been killed in Ohio was an old bull, who, in 1795, driven from a herd, wandered too near the little town of Gallipolis. From Kentucky they had already disappeared. Along the Ohio, at the junction with the Mississippi, a traveller declares, "In the woods the marks of Buffaloes was like a cow-yard." Biography of Major Samuel Forman. Historical Magazine, December, 1869, p. 329. From Green river to the Mississippi, another declares, the shores of the Ohio are lined with buffalo. (Charleston, S. C.) City Gazette and Daily Advertiser, January 7, 1797.

‡ Deposition of Stephen Coffin to Colonel Johnston at New York, January 10, 1754.

was called, lay the "donation lands," the "Struck District," and the certificate lands, into which the Pennsylvania Population Company* was vainly striving to induce settlers to go.

The origin of these names is worthy of note. In the closing days of the war for Independence, when all the evils of paper money were rife, Pennsylvania prepared a scale of depreciation for every month between the years 1777 and 1781, and decreed that according to this scale the troops of her line should be paid. As money to pay what was due could not then be had, certificates were used, and to them the name 'depreciation certificates" was given. By another act, passed late in December, 1780, it was ordered that Certificates of Depreciation should be received at the Land Office in payment of the purchase money of unlocated lands, and that they should there be taken as the equivalent of coin.† To redeem this promise a vast stretch of country was, in 1783, set apart in the west. It began at that point where the Ohio breaks through the western boundary of the State, ran up the Ohio to the Alleghany, up the Alleghany to Mogulbughtiton Creek, and thence along a due west course to the western boundary-line.‡ Within this area were the "certificate lands."

But the faith of Pennsylvania had also been pledged to give to her citizens serving in the Federal army "certain donations and quantities of land."# To make good this pledge a second area was set apart. It lay just north of the "certificate lands," and stretched away to the northern limit of the State. On the west it touched Ohio. On the east the boundary was the Alleghany river, from Mogulbughtiton to Cagnawaga Creek, and a meridian to the south boundary of New York. These were the "donation lands." That they might be impartially distributed, the good lands and the bad lands alike, a lottery was arranged, wheels made ready, and each claimant suffered to draw a number of tickets according to his rank. No

* For an account of the objects of this company, see American Daily Advertiser, May 20, 1792.

† An Act to settle and adjust the accounts of the troops of this State in the service of the United States, and for other purposes therein mentioned. Passed December 18, 1780. Journals of the Assembly, pp. 55, 56.

‡ Passed March 12, 1783. Recorded in Law-Book No. II, p. 46.

Passed March 7, 1780.

officer could receive more than two thousand acres. No private could get less than two hundred.

This done, William Irvine, a revolutionary general, explored the lands and declared that in one district they were unfit for farming. The lots in this region were instantly withdrawn from the lottery, and in time it came to be known as the "Struck District." While engaged in this work, Irvine discovered that Pennsylvania owned but a few miles of coast upon the lake. The purchase of "The Triangle" was therefore made.

In New York there were, when the census was taken in 1790, in all the region which lay between Lake Erie and Preemption Line, but one thousand and eighty-one people and thirty towns. The largest was Canandaigua, where were gathered eighteen houses and one hundred and six souls.* Nor was the country to the eastward much more thickly settled. Numbers of pioneers, as they came out from Pennsylvania and New Jersey, had taken boat up the Susquehanna and Tioga rivers to where Elmira now stands, had gone thence by land to the head of Seneca Lake, and down the lake and river to the shores of Cayuga, or to the rich valley through which now winds the Erie Canal. Others had come in from Connecticut, passing Albany and Fort Schuyler on their way. Whether they went out from Albany by the river or the road, the journey was equally toilsome. On the Mohawk the shoals were numerous, the current was rapid, the boatmen thieves, and the expense of transportation enormous. It was with difficulty that a bateau of two tons burden could be taken from Schenectady to Seneca Falls, and for each ton it carried more money was paid than is now exacted for transporting one hundred tons twice that distance.† By land the roads were narrow, the bridges small and ruinous, and the settlements far

* A History of the Purchase and Settlement of Western New York, and of the Rise, Progress, and Present State of the Presbyterian Church in that Section. J. H. Hotchkin, 1848, p. 16.

† "At that period (1791) they could only transport from one and a half to two tons in a flat-boat, at an expense of from seventy-five to one hundred dollars a ton from Schenectady to this place" (Seneca Falls). History of the Rise, Progress, and existing Condition of the Western Canals in the State of New York, etc., 1820. Elkanah Watson, Appendix, p. 98.

apart. Log huts had been put up at Bath, at Naples, at Geneva,* at Aurora, at Seneca Falls, at Palmyra, at Richmond, and at Fort Stanwix. Some rude salt works were to be seen on the shore of Onondaga Lake, and a few bushels were made each day in a log hut in the township of Brutus.† But a traveller who went through the lake region in 1792 declared that from Onondaga Hollow to Cayuga Lake the whole country was in forest, and that, in what is now the township of Marcellus, he saw but one house and two newly put up huts.‡ Bears were plentiful in the woods. The streams and lakes abounded with salmon.# Five years later the road from Utica to the Genesee river was little better than an Indian trail.‖ It was by blazed trails that immigrants long continued to find their way from place to place. They travelled usually in bands, for the steepness of the hills and the dangers of the swamps and rivers were far too formidable to be encountered alone.^ To the west of Seneca Lake lay the millions of acres

* "Geneva is a small, unhealthy village containing about fifteen houses, all log except three, and about twenty families." Journal of Travels, principally by Water, from Albany to the Seneca Lake in 1791. Elkanah Watson. See his History, etc., of the Western Canals of New York, p. 50. The character of Geneva seems to have been bad. Watson complains (1791) of being "troubled most of the night by gamblers and fleas—two curses of society." Ibid., p. 50. Another traveller who saw the place in 1791 says: "From thence we continued our journey to Geneva, where there was a log tavern kept by a man named Jennings, and where also resided in log houses one or two Indian traders and a few drunken white loafers." O'Reilly's Mementos of Western Settlement. See the communication, Thomas Morris, Historical Magazine, June, 1869, p. 375.

† Journal of Travels, principally by Water, from Albany to the Seneca Lake in 1791. Elkanah Watson. See History, etc., of the Western Canals of New York, pp. 42 and 47.

‡ A History of the Purchase and Settlement of Western New York, etc. J. H. Hotchkin, p. 17.

Watson's Journal of Travels, etc., pp. 34, 39, 44, 55.

‖ Ibid., p. 19. "There was at that time (1791), and for several years thereafter, only one Indian path leading to Niagara (from Canandaigua), and not a habitation of any kind from the Genesee river to the fort at that place." Narrative of Events in the History and Settlement of Western New York, in the Personal Recollections of Thomas Morris. Historical Magazine, June, 1869, p. 375.

^ But there were other obstacles far more disheartening to the emigrant. Major Forman, who went out in 1793 to keep the store for the Holland Land Company, went up the Mohawk from Schenectady to Utica in "bateaux." "I sent on board of one boat a keg of five gallons of Spirits, & told the captains it was

Robert Morris had sold to the Holland Land Company. To the east of the lake was the "Military Tract." There seventeen hundred thousand acres had been set apart by New York to pay the bounties due the men who in her name bore arms in the late war. The tract was long since cut up into counties, but its limits may still be easily discovered.

The most careless observer cannot take down the map of the great State, and turn to the stretch of country between the Chenango, the Tioga, the Mohawk, and the Genesee, without being struck by the singular names of the towns. A few have been called after their founders. Some have received appellations which are but slight corruptions of melodious Indian terms. But the majority have been called after men and cities once famous in Greece and Rome. Cicero and Tully, Scipio and Solon, Homer, Virgil, Cato and Pompey, Romulus and Manlius, Syracuse and Sparta, Rome, Utica, Ithaca, Attica, and Marathon. Such are a few of the towns which, with scarce an exception, lie within the limits of the military tract.

To infer from this that the dead languages were more generally understood, or the literature of them more justly appreciated, than at present, would be idle, yet it should seem that many uses were made of them which a wiser generation has seen fit to put away. If a writer had anything to say on politics or medicine, physics or morals, he felt himself bound to ransack the writings of a dozen classic authors for quotations for his essay. It is almost impossible, therefore, to turn over the yellow pages of a pamphlet or glance down the lines of a newspaper essay on the most trivial of subjects without meeting a great display of ancient lore. Even in the popular speech there still lingered many short Latin phrases which have since given way to better English ones. At the same

for their use, provided they did not pilfer my liquors & take good care of all the goods, & especially that they would let me know how they tapped liquors & leave no marks. . . . Well, then, Boss, we will tell you—we knock a hoop one side, hammer a case-knife between two staves & draw what we want, & then drive the hoop back—sometimes we knock the bung out & then put sand in the Hogshead to fill it up after we take what will do, & put the tin over the bung again." "The first Hhd. of Spirits ever brought on that settlement was retailed thro' a goose-quill." Autobiography of Major Samuel S. Forman. Historical Magazine, December, 1869, pp. 335, 336.

time new forms of expression, now to be heard from the lips of the most fastidious, were just coming in. Like every other new thing the world has yet seen, they were bitterly assailed with scoffs and jeers. You could not, one grumbler complained, go into the coffee-house of an evening without hearing some person of fashion declare that he had been very much "bored" of late, or that the weather was "infinitely" hotter than last week. Tradesmen now advertised to furnish you with hose, garterings, "and everything in that line." Gentlemen might any day be heard using such language as "made up my mind," or "hurt my feelings," or asserting that somebody "has committed himself," and cannot go back. What had once been a "pleasure" had now become an "honor." Events once thought disastrous were now said to be "unpleasant." * Where did such phrases come from? What writer of repute had sanctioned them? If you were to take your seat near one of the spruce young fellows with silk waistcoats and bamboo canes your ears were sure to be shocked by such pronunciations as "virchue," "natchure," "fortchune," "quietchude," "distchurbed." † In truth, of the host of forgotten plays and novels, written by Americans toward the close of the last century, it would be easy to name many in which, with the Irishman and the Frenchman, there figures a prig with a silly and affected manner of speech.

While one part of the community was expending its ingenuity in adding new words and phrases to our tongue, the ingenuity of another part was rapidly adding to that splendid series of inventions and discoveries which no American should contemplate without feelings of peculiar pride. The United States patent system had begun. The glory of it belongs to Jefferson. He inspired it, and long took so deep an interest in its workings that he may well be called the founder of the American Patent-Office. The growth of it is marvellous. To one who wanders through the corridors of that magnificent building and beholds the army of clerks and draughtsmen, and the hundreds of

* Federal Gazette. New York Packet, August 15, 1789.

† See To the Right Honorable Company of Critics, Pedants, and Coxcombs. The Petition of much mortified and very disconsolate Pronunciation. Columbian Magazine, June, 1789.

thousands of models there displayed, it seems scarcely to be believed that when 1800 came, one man did all the clerical labor, and a dozen pigeon-holes held all the records of the office. For each of the patents which then existed a thousand have since been issued;* nor does it seem too much to say that before 1900 shall have been reached this ratio will have been increased twofold. The law of April tenth, 1790, established the office, made the Secretary of State, the Secretary of War, and the Attorney-General a board of commissioners, and bade them examine the claims of inventors and grant patents to the deserving. So rigorously did the board construe the law that, in 1790, but three were issued. In 1791 the number rose to thirty-three. The next year it fell to eleven. In 1793, when Jefferson went out of office, twenty were sealed. The moment a claim came into the Department of State, Jefferson would summon Knox and Randolph. The three would meet, go over the application most critically, and scrutinize each point of the specification with the utmost care. If they threw out the claim, the decision was final. The inventor had no appeal. If they determined that a patent should issue, the paper was signed by the President and Attorney-General, and the inventor paid down a small fee. For receiving and filing the petition, fifty cents; for filing specifications, ten cents the hundred words; for making out the patent, two dollars; for affixing the great seal, one dollar; for indorsing the day of delivery, twenty cents. It was a long document for which the patentee was charged four dollars and a half. But the men whose clumsy machines and crude devices had been thrown out raised a great clamor. The power of the board was too great. It was outrageous that their decision should be final. There ought to be an appeal. Jefferson combated this, but the cry was heard. The law of 1790 was revised in 1793, and revised for the worse. The duty of granting patents was lodged with the Secretary of State alone. He was forbidden to reject any application not likely to be hurtful to the interests of the people, and the cost of patents was greatly increased. For forty-three years this law continued

* In 1800 the whole number of patents issued was 268. On November 25, 1884, 308,589.

in force. Then the evils which grew up under it became so rank that Congress was again forced to interfere. Five months later, December fifteenth, 1836, the Post-Office building was burned to the ground. With it went the seven thousand models of the Patent-Office, by far the noblest collection the world could then show. When the next fire occurred, forty-one years after, the Patent-Office had obtained a building of its own, and the seven thousand models of 1836 had become two hundred thousand in 1877. It is deeply to be lamented that, of the many thousands destroyed in 1836, so few have ever been replaced. Not even a complete list of them can now be had. Yet, most happily, it is not impossible to form, from the fragments of information gathered elsewhere, some conception of the ingenuity of our countrymen. One had invented a grain-cutter, a dock-cleaner, and a threshing-machine.* No precise account of his work has come down to us. But we are told that with his reaper one man could cut five acres of wheat a day, and that his thresher could easily beat out as much grain in twelve hours as forty men. Another had devised and put up a water-mill for roping and spinning combed wool and flax.† A third had invented a candle-machine, had made candles from the lees of the right whale, and had seen his work displayed, and warmly praised in a long memoir by the President of the Agricultural Society of New York. ‡ A fourth had discovered a way of turning iron into steel.# A fifth had encased himself in a strange apparatus, had surprised the fishermen of New London by going down in four fathoms of water, had walked upon the bottom, and had come up after being three minutes in the sea. ‖ A sixth took out a patent for a machine which has made his name famous ever since. The inventor was Whitney, and the machine he called a cotton-gin. The word is a contraction of engine, and

* The inventor was Leonard Harbah, a Baltimore mechanic. His three models were shown Congress in 1789. Freeman's Journal, July 22, 1789.

† Federal Gazette, May 11, 1790.

‡ The patentee was Benjamin Folger, of Hudson, N. Y. See Independent Gazetteer, December 15, 1792; also August 20, 1791.

American Daily Advertiser, May 25, 1793. Henry Voight is referred to.

‖ American Daily Advertiser, December 19, 1793. The inventor was "Mr. Torrey, of Lebanon."

was at that time given to any piece of handy mechanism. He was himself the son of a thrifty Massachusetts farmer, and was born, on a bleak December morning in 1765, at Westborough, Worcester County. His parents gave him the name of Eli. But nature bestowed upon him the ability to handle tools, and that strange power of mind which has well been called inventive genius. While he was yet a child both these gifts began to display themselves. Before he was ten he could use every tool in the farm workshop with a dexterity that would have delighted an old mechanic. Before he was twelve he made a violin, and acquired fame as a mender of fiddles in all the towns of the neighborhood. At sixteen he became a nail-maker, and was soon known as the best in Worcester County. When this business failed him he began to make long pins for women's bonnets, and walking-sticks for the men. At twenty-four he entered Yale College, was graduated three years later, became a teacher, and soon found himself in the family of General Nathanael Greene, at Mulberry Grove, near Savannah. It was there that the idea of a gin was first suggested to him. The story has been often told. How he chanced one day to hear Mrs. Greene complaining of the clumsiness of her tambour, how he quickly made her a better, how she remembered his ingenuity, and how, when some planters in turn complained to her of the difficulty of separating cotton from its seed, she urged them to take their troubles to her friend. At that time Whitney had never beheld the growing plant, and had no conception what its seed was like. But he was soon at work upon his task, and was met at the outset by two troublesome obstacles: he had neither money nor tools. An old college friend supplied the money. The tools Whitney made. As his crude ideas began to assume shape, news of what he was doing got abroad. In a moment every planter who owned an acre of cotton-plants, or whose plantation was ill fitted to raising indigo and rice, mounted his horse and set off to see the machine. The account these men gave of the strange jumble of wheels and wires, and the wonderful things it would surely do, made all classes eager to behold it. Some who saw it longed to have it, and one dark night a band of wretches broke open a building and carried off the half-completed gin. Thenceforth the story of

the life of Whitney is the story of the life of every great inventor retold. Half mad with rage and despair, he fled from the State for whose prosperity he was to do so much, went back to Connecticut, and there completed his work. But he had not been three days out of sight of the houses of Savannah when a letter was posting after him with word that two other claimants of the invention had appeared. A few weeks later a gin which bore a close likeness to that of Whitney came out. On the fourteenth of March, 1794, he received his patent. In 1801 South Carolina bought it. In 1802 North Carolina, and soon after Tennessee did the same. But, long before the purchase-money had all been paid, South Carolina and Tennessee basely repudiated the act. Georgia gave him endless suits.

To choose a date which may, with justice, be regarded as that of the rise of the cotton industry of our country is indeed impossible. Yet it is not too much to assert that from the day when the gin of Whitney appeared the prosperity of that great branch of labor was assured. From such imperfect information as can now be had, it seems that, while the country was still under British rule, sacks and barrels of cotton had been sent over the sea. But of all this not one pound grew upon our soil. Every fibre of it came from the Spanish Main. The earliest plantation of sea-cotton and upland-cotton for exportation was, it is quite likely, in 1789. The next year some bundles, then known as packets, went over to England and sold for twenty-two pence the pound. In the United States the price was fourteen and a half cents the pound in 1790. But it rose steadily year by year, till, when the century closed, a pound brought forty-four cents.*

Meanwhile the spinners had not been idle. After bearing up for three years against such failure as would have disheartened most men, the Beverly Company cried out to Massachusetts for help. They had, the owners declared, spent four thousand pounds. Yet their machinery was not worth two thousand. They could stand the drain no longer. Unless they had help, and that speedily, they were ruined men. The

* The price of cotton in the United States in 1790 was 14½ cents; 1791, 26 cents; 1792, 29 cents; 1793, 33 cents; 1794, 33 cents; 1795, 36½ cents; 1799, 44 cents.

General Court heard their prayer and gave them a thousand pounds sterling. In Rhode Island, as early as 1788, a mill had been put up at Providence for the manufacture of "Homespun Cloth." The purpose of the owner was to make jeans of linen warp spun by hand. But, hearing of the wonderful machine of Hugh Orr, they sent to Bridgewater, procured drawings of the State's model, and soon made a set of their own. The first built was a carder. Then came a spinning-frame with eight heads of four spindles each, operated by a hand-turned crank. But to turn the crank was a labor which no man would willingly perform. It was worse than the tread-mill.

The jenny, therefore, was soon carried to Pawtucket, put up in an old mill, and the crank made fast to the shaft of a rude water-wheel. But the machine that was too laborious to work by hand was too imperfect to be worked by water, and was, after a few trials, sold to Moses Brown.

The mention of that name calls up the recollection of another who is justly honored as the founder of the first cotton factory in America. Samuel Slater was an Englishman, a native of Derbyshire, and while yet a lad was bound apprentice to Jedediah Strutt, still remembered as the inventor of the Derby ribbed stocking-frame. In the factories of Strutt young Slater grew up, learned to weave and spin, and before he was twenty could make with his own hands every part of an Arkwright machine. When he was twenty-one he saw in a newspaper that in America one State had given a hundred pounds for a clumsy carding-machine. In another a great premium was offered to the man lucky enough to devise a machine for spinning cotton thread. The prize was a tempting one. He determined to have it, and, on the thirteenth of September, 1789, sailed down the Thames for America. Sixty-six days later he landed at New York, went at once to the factory of the manufacturing company, and came away in disgust. Indeed, he was about to leave the city for Philadelphia when he heard that Almy and Brown, of Pawtucket, had begun the manufacture of cotton cloth. To Pawtucket, therefore, he went, and, in January, 1790, rode out with Brown to view the mill. No sooner did he behold the strange collection of

billies and jennies that littered the room than he pronounced them worthless, and urged Brown to throw them aside. His advice was taken, and for eleven months Slater worked unceasingly in making new. Difficulties met him at every turn. Mechanics were scarce. Their skill was of a low order. He was forced to mark out the pattern of every piece of the machines himself. In December his work was over, and on the twentieth of that month three carders and seventy-two spindles of the Arkwright pattern were set in motion by the water-wheel of an old fuller's mill at Pawtucket. There were, in 1790, many places in the country where mixed goods of linen and cotton were made. In New England, in New York, in Pennsylvania, cotton weft was woven into velvets and fustians and jeans with linen warp. But not one yard of cotton cloth had yet been made. Ninety years later, when the tenth census was taken, there were in our country two hundred and thirty thousand two hundred and twenty-three cotton looms, giving employment to almost as many human beings as, when the first census was taken, made up the population of New Jersey.* In 1793 the cotton yield was five millions of pounds. Of this, one tenth went abroad.†

That so little was exported is to be ascribed in part to the labor of cleaning it, to the lack of a treaty with England, and to the brisk trade which every merchant then carried on with the islands and ports of France. A decree had gone out from the National Convention giving to neutral vessels the rights of French ships. The news was received with joy. The next month hundreds of vessels scarce fit to go out of sight of land were heavy with produce, and on their way to the Windward Isles. The planters of St. Lucie, of Martinique, of Guadeloupe, of Montserrat, of Antigua, and St. Kitts, were amazed at the numbers of ships that came to them from ports on the American coast. Traders from Boston and Philadelphia vied with each other in their eagerness to exchange quintals of fish

* In 1790 the population of New Jersey was 184,139. In 1880 the number of persons employed in the manufacture of cotton cloth, agents, clerks, mechanics, women and operatives included, was 181,628.

† A number of bags of cotton were offered for sale at Philadelphia in 1794. See American Daily Advertiser, July 3, 1794, and October 11, 1794.

and barrels of flour for sacks of coffee and bundles of hides. Some went home laden with rum. Some had their holds packed full with sugar, while numbers brought back to Philadelphia or New York families of unhappy refugees from Cape François.

Of this gallant navy of merchantmen, however, many fine schooners and brigs, before the autumn went out, rode at anchor in the harbors, or beat themselves to pieces at the wharves of the British West Indian ports. England had refused to look upon the trade as neutral. Nothing, she declared, but hunger and the miseries of war had opened the ports of France to the merchants of the United States. It was clearly a war measure, and every neutral who set out for the harbor of a French town with a cargo of breadstuffs or a shipload of fish did so at his own risk and peril. Her cruisers were bidden to seize French property found upon the decks of neutral ships, to bring into English havens all vessels laden with food, and to board and search all American merchantmen for sailors English-born. So strictly were these commands obeyed that, when the year 1794 opened, hundreds of American vessels, and hundreds of thousands of dollars of American goods, were in English hands.* The Consul at St. Eustatia sent a list of one hundred and thirty condemned by British courts.† From Bermuda came the names of eleven more.‡ The governor of every petty island which England then owned in the West Indian Sea was by law an admiralty judge. Some were grossly ignorant of their duty. Some to ignorance united dishonesty and an itching palm. But of them all the most shameless and infamous sat at Bermuda. It was a dark day for any captain who, driven by stress of weather or lack of water, entered the harbor of St. George. Scarcely would the anchor touch the bottom when a crew would put off from shore, clamber up the sides of the ship, and begin their infamous work. The baggage would be carried on deck, trunks and cases broken open, beds cut up, bundles torn apart, and a general search made for money, papers, trinkets, and gems.

* See New York Journal, March 15, 1794; March 22, 1794.

† New York Journal, March 29, 1794.

‡ American Daily Advertiser, January 4, 1794.

The passengers would next be summoned, their persons searched without regard to sex, and every shred of clothing taken from them save the little they had upon their backs. In this plight they would be hastily put on shore, and left to the mercy of the commissary of war. The crew would then be abused, insulted, and pressed into the service of some privateer, the ship hauled to the wharf, her sails unbent, and her cargo run out.* To seek help of the judge was a waste of time. He condemned every vessel brought into court, and, when condemned, put as many obstacles as he could in the way of an appeal.†

At Martinique the treatment of American seamen was horrible. In February a fleet and an army suddenly appeared off the harbor of St. Pierre. The fleet bombarded the town. The troops landed and took it. The marines then boarded every American ship at the port. Their sails were unbent. Their colors were torn down. The seamen were dragged, without so much as a change of clothes, to the deck of a man-of-war, hastily examined, and sent to the dingy hold of a prison-ship near by. There two hundred and fifty of them were shut up for three days. When they at last came out they were a sight to behold. Their tongues were swollen from thirst. Their bodies were weak from hunger. Meanwhile, the brigs and schooners they had once manned had become worthless wrecks. Some had been moored so close that they had chafed through and sunk. Some had broken from their moorings and gone out to sea. Others had stranded on the shore and bilged. ‡

At St. Kitts matters were quite as bad. At one time as many as thirty-five sail were libelled at Basseterre. If the captains applied to the judge to know for what reason they were detained, he put them off with a surly answer, or bade them ask the owners of the privateer that took them. If they went to the owners, they were sent back to the judge. If, weary of such treatment, they hinted that a bitter reckoning would be demanded by the United States, their hearers laughed in their faces. "What," said the Englishmen, "what can

* American Daily Advertiser, January 4, 1794.

† See the case of the ship Two Friends.

‡ See a statement signed by forty captains in General Advertiser, May 28, 1794.

America do with Great Britain, who is determined to have no neutrals in this contest? Six or seven frigates can block your whole coast." * Indeed, it soon became impossible to take up the morning newspaper without finding at least a column of letters from captains whose ships were detained by the British at ports in the Caribbean Sea. The merchants of Philadelphia said no more than the simple truth when they told the Secretary of State that it had become the practice of English privateers to send into the nearest haven every American ship they met with bound from a French West Indian port. Proofs of such depredations had long been collecting in the Secretary's office. Jefferson had begun to gather them early in 1793. When Randolph succeeded him, they made a huge volume, and were by him reduced to order. It was then found that they contained charges against the English, the French, the Spaniards, and the Dutch.

British privateers had plundered American ships, had driven them from their course, had forced them, on groundless suspicion, into foreign ports. There they had been kept for months on frivolous pretexts which nothing but the ingenuity of a lawyer could concoct. The cargoes had been suffered to mould and rot. The ships had beaten themselves to pieces on the docks. The crews had been shamefully maltreated. British war-ships had hailed American merchantmen on the high seas, British marines had dragged American citizens from the decks of their own brigs, and had left the captains to find their ways to port as best they could, with a damaged cargo and a crippled crew. British regulations had driven American corn and provisions from the ports of France, and sent them to the ports of England. British admiralty judges in the West Indies had become notorious for the rigor of their shameful deeds.

The French were equally culpable. Their privateers harassed American traders no less than the British. Two French

* Letter from an American captain at Basseterre to his friend at Baltimore. American Daily Advertiser, March 20, 1794. See, also, a letter from a gentleman at St. Kitts, etc., and a letter from a captain carried into Montserrat by the British to his owner in Connecticut. American Daily Advertiser, March 15, 1794. See, also, the account of the ship Fair Lady.

war ships had, in the light of day, committed enormities on American vessels. Their acts of admiralty were as oppressive as any done at Bermuda or St. Kitts. They had laid an embargo on American vessels in French ports. Debts they had solemnly bound themselves to pay in coin had been basely paid in assignats.

All these facts had been communicated by Randolph to Washington, and had by Washington been laid before Congress. But they were already well known to both Houses. Not a member from the shore towns but could call over a list of names of speculators whose ships had gone out heavy with produce, and had not yet come back, and who, ruined and broken men, spent half their time at the inns, questioning travellers and waiting for letters, and half on the docks and the shore, in the vain hope of catching a glimpse of their returning vessels. Others had read in the Advertiser and the Gazetteer the long columns of letters from Antigua, from Bermuda, from St. Christopher, from Basseterre, and the stirring language in which the conduct of Great Britain had been denounced in every sea town in the land. The merchants of Philadelphia had drawn up a vigorous complaint.* The Democratic Society had cried out for war. The traders of Charleston had, at a great meeting in the Exchange, passed strong resolutions, and sent a committee through the town to gather signatures.† From Boston, from Portsmouth, from New York,‡ came papers of a like kind.

But the men who protested least and suffered most were the seamen and those who, in the ports of New England, made their living from the sea. Their lot was indeed a hard one. Alarmed by the letters which came in every packet from L'Orient and St. Kitts, owners no longer sent out their brigs and snows loaded with flour and quintals of fish. The captains moped in their cabins. The crews spent their time in idleness on shore. Cod and herring were no longer taken on the Grand Banks. The salmon and the alewife were unmolested in the Merrimac. Nets and fishing-boats blackened

* American Daily Advertiser, January 16, 1794.

† Ibid., March 21, 1794.

‡ Boston Gazette, March 24, 1794.

the beach of that beautiful haven at whose entrance stands the reef of Norman's Woe. Whalers could not dispose of their oil. Farmers who had come down to the coast to sell their grain, that they might mend their barns or purchase a cast-iron-mould-board plough, went back disconsolate to their homes. The town of Salem presented a most doleful sight. Gloom, it was said, and anxiety, sat on every face. The merchants ceased to buy and sell. The sailors strolled lazily through the town. The laborers were starving in idleness.* At Gloucester two hundred seamen, whose ships lay anchored in the bay, formed a procession, marched through the streets, went out to the old fort, put up a flag, and declared they would defend it against British insolence to the last.† From Portsmouth came an assurance to Congress that the people of that town were ready for war. ‡ At Marblehead three thousand men had begun to drill.

Such manifestations soon produced an effect, and Congress, in great alarm, began to put the country in a state of defence. On the fourth of March a bill was reported and quickly passed providing for the fortification of harbors. One week later the navy was begun.

The cause of the framing of the navy bill was the depredations committed on our commerce by the xebecs and cruisers of Algiers. The time had never been when it was quite safe for a merchantman flying the American flag to enter the Mediterranean Sea. The one nation of whom the pirates had a real fear was England. Her flag and her passes were respected, and it was under English Mediterranean passes, forged or purchased, that most of the American ships sailed. The pass was written on a sheet of parchment ornamented round the margin with figures and curves. Not an Algerine captain could read one word of English, though he might, perhaps, know the language when he heard it spoken. It was his custom, therefore, to board each vessel, demand by signs the parchment, take from the folds of his garment a curiously notched stick, and apply it to the border of the pass. If the

* Boston Gazette, March 28, 1794.

† Ibid., March 28, 1794.

‡ American Daily Advertiser, January 10, 1794.

notches fitted the curves of the border, the pass was, in his eyes, good, the ship was declared an English one, and suffered to sail on in peace.* Such practices, however, could not be countenanced by government, and, as no treaty had ever been made with Algiers, it seemed best to make the attempt. John Paul Jones, of naval fame, was chosen to be consul, and bidden to hasten to Algiers and conclude a treaty on the best terms he could. But he died before his mission began.

Barclay, who made the treaty with Morocco, was chosen next. But he too died, and the work passed to David Humphreys, minister to the Portuguese. For some time Portugal had been at war with the Algerines, had closed the Straits of Gibraltar, and kept the pirates within the Mediterranean Sea. Now, before Humphreys could reach Algiers, peace was made through the influence of Great Britain. The Portuguese squadron left the Straits, eight Algerine cruisers sailed into the Atlantic, and began to prey on American ships.

A message from the President gave these facts to Congress, and the question at once arose, Should a naval force be sent against the pirates, should a treaty be bought, or was it for the welfare of the country to do both? Congress voted to do both, and bade a committee report on the naval force needed, and the means to be provided for its support. Never before in the history of Congress had a committee of ways and means been named.

The ships were to be used against the Algerines, and the keels of three of them were actually laid. But the bill ordered that, should peace be made with the Dey, the building should instantly stop. This, a few months later, was done.

Six frigates, two hundred cannon, two hundred and fifty tons of balls, and three hundred and forty thousand dollars' worth of muskets, small arms, and stores, was thought armament enough. Forts and redoubts were to be thrown up at Portland, at Portsmouth, at Gloucester, at Salem, at Boston, at Newport and New London, at New York and Philadelphia,

* A Short Account of Algiers . . . with a Concise View of the Origin of the Rupture between Algiers and the United States. Philadelphia, 1794. Mathew Carey. See, also, some lines on the passports in Humphrey's "Happiness of America."

at Wilmington, at Baltimore, on the banks of the Potomac at Alexandria, on the flats at Norfolk, at Ocracoke Inlet, at Cape Fear river, at Georgetown, at Charleston, at St. Mary's, and Savannah. To build these, one hundred and thirty-six thousand dollars, a sum not now sufficient to pay the salary of the Lieutenant-General of the Army for ten years, was set aside. But it was plenty. As the welcome news spread, men of every walk in life came forward to labor on the forts without pay. School-masters dismissed their scholars, judges adjourned their courts, fine gentlemen forgot their shuffleboard and bullet playing, and, seizing a pick or a spade, went forth joyfully to throw up earthworks about their towns. At Baltimore the engineer who came to mark out the fort was greeted with tremendous cheering. One bright April morning the Fell's Point company of artillery, a hundred strong, marched down to Whetstone Point to break ground. Some bore sponges, some worms, some ladles for scaling the cannon, and some spades and picks. Early the following morning the Independent Company, with a great crowd of volunteers, set out to finish what the Fell's Point men had begun.*

At New York the enthusiasm was greater still. Baron Steuben, at his own cost, had examined every part of that splendid harbor, and had chosen as the best sites for works the two commanding hills from which the guns of Fort Richmond and Fort Hamilton look down upon the ships that go in and out by the Narrows.† But it was decided that Governor's Island, which lay nearer the two cities of Brooklyn and New York, should first be defended. And there, from April until late in June, might have been seen, toiling without hire, men of every rank in life. The Democratic Society went down on the twenty-fifth of April.‡ The Tammany Society on the Friday following.* The tallow-chandlers set out from the Exchange, the patriotic grocers from the Old Coffee-House. The coopers met at Whitehall dock. The patriotic Republican bakers gathered at the foot of the flagstaff, long known by the

* American Daily Advertiser, May 3, 1794.

† Ibid., March 21, 1794.

‡ New York Journal, April 26, 1794.

* American Daily Advertiser, May 3, 1794.

nickname of "The Churn." The students of Columbia College marched from the college to the Battery and took boats for the island. The patriotic sawyers,* the patriotic sailmakers,† the school-masters,‡ and the lawyers,# then followed hard upon each other.

Meanwhile a French officer had been dispatched to examine the Connecticut coast and report a plan of defence. At New London the townsfolk and the ship-captains toiled for two days on Fort Trumbull.‖ At Boston everything had been made ready for a civic feast to be held in honor of the retaking of Toulon. Two hundred citizens had assembled, had decided to have a "cold collation," had put the tickets at one dollar each, and left subscription papers at Colman's and the Green Dragon Tavern.^ But so likely did it seem that the country would soon be again at war that the feast was most wisely put off.◊ Five days later, at nine o'clock in the evening, the embargo was laid. The proclamation of Washington came out on the twenty-sixth. But the riders who carried the news spared neither themselves nor their steeds, and, seventy hours later, it was known at Boston.‡ There the cry had long been, "Lay an embargo. Let it be general, and cover every ship in our ports save those of our good allies, the French. Then shall we lie on our oars and the Algerines of Africa and the Algerines of the Indies be disappointed of getting our ships. Then shall we cease to feed those who insult us. Then shall we fairly meet the question, Are our sailors to be maltreated, our ships plundered, and our flag defied with impunity?"‡ It was at first laid for thirty days, but, before the thirty days were come and gone, the Congress extended the time for thirty more. Everywhere the people insisted on a strict observance of it. At New York two English ships attempted to slip out of the harbor. But the Custom-House officer quickly gathered a force of merchants and clerks, manned a revenue cutter, overtook the Englishmen on the East river, and soon had them

* New York Journal, June 8, 1794.
† Ibid., June 18, 1794.
‡ New York Daily Gazette, May 9, 1794.
# Ibid., May 9, 1794.
‖ American Daily Advertiser, June 21, 1794.
^ Ibid., March 28, 1794.
◊ Boston Gazette, March 24, 1794.
‡ American Daily Advertiser, April 8, 1794.
‡ Ibid., March 22, 1794.

safely anchored off the Battery guns.* A like attempt at Charleston met with a like result.† At Philadelphia a report was current that an English vessel was about to slip away to England under pretence of going to New York. A number of citizens met, talked the matter over, and, finding they could not prevent her sailing for that port, boarded her, unshipped the rudder, and took the foremast out. ‡

This was early in May. On the twenty-fifth of the month the embargo was lifted amidst the hearty curses of the people. Last night, said one writer, there departed this life General Embargo. The funeral will be conducted with naval honors. A vast fleet of merchantmen will sail from the ports of America and rendezvous in the British West India Islands.# Another pointed out, and his remarks had great weight with old housewives and sailors, that the day the embargo was lifted a great storm arose and raged furiously for two days. The sun, he said, as if ashamed of the conduct of the Government, had not shown his face since. The oldest man did not remember so terrible a storm at such a season of the year. ‖ The same paper noticed that two ships had left New York to feed the British robbers in the West Indies. Our sham friends, the British, cried a third, were in danger of starvation. The humane bowels of our Federal Legislature yearned over their distress, and to help them the embargo is taken off. Thus is American property to be sacrificed to feed the half-famished enemies of mankind. Fellow-citizens, will you feed those wretches on whose starvation the happiness of millions depends? △ The question had already been decided at Philadelphia. On the twenty-third of May the mates and captains of the brigs, snows, and sloops in the river held a meeting at the Harp and Crown tavern of Barnabas McShane. After heating each other with complaints against Congress, they finally resolved not to go to sea for ten days to come, made a solemn pledge that, if one of their number was discharged in consequence, none of the others would fill his berth, and ended by urging the pilots to take no ship down the river for the

* American Daily Advertiser, April 1, 1794.
† Ibid., May 8, 1794.
‡ New York Daily Gazette, May 9, 1794.
# New York Journal, June 11, 1794.
‖ New York Journal, May 31, 1794.
△ Boston Gazette, June 2, 1794.

same space of time.* They had been moved to do these things by the like action of the captains of Baltimore.†

Still more formidable was the conduct of the Democratic Societies in every part of the land. Since the day when the Society at Philadelphia put forth its circular, similar organizations had started up in every great city and every large village and town in the fifteen States. In many places where the hamlets were small and settlements sparse they existed as societies for the counties. Their model was the Jacobin Club at Paris. Their business was, in the language of the times, to defend liberty and protect the rights of man. They rejoiced over French victories. They voted addresses and gave dinners to French sympathizers. They scrutinized every act of their servants, the judges, the governors, the members of Congress, and denounced every law that was not to their liking. While Genet was abusing Washington and defying the laws, the indignation of the people had kept the clubs within bounds. But Genet was no sooner recalled than they began a career that grew more foolish and more shameful with each succeeding day. Their democracy was French democracy, and French democracy was mob tyranny joined to everything that was immoral, indecent, profane. The most trivial reminder of kings and queens threw them into a fury. In the days when the French Alliance and the virtues of Louis were upon every tongue, a Philadelphia inn-keeper hung up as a sign before his tavern-door a portrait of the Queen of France. The Republicans now forced him to send for a painter, have a streak of red put round her neck, and her clothes bedaubed with what passed for blood.‡ Another day a card was sent to the vestry of Christ Church. On the eastern front of that building was a bas-relief medallion of George II surmounted by a crown. This, it was decreed, must be removed, for many young and

* American Daily Advertiser, May 26, 1794.

† At one of the theatres a new version of Yankee Doodle was sung:

"Huzza! for Pilot Washington,
The Federal ship and cargo,
May she by pirates ne'er be robb'd,
Nor stopped by an embargo."

Columbian Gazetteer, June 5, 1794.

‡ See Peter Porcupine's A Bone to Gnaw for the Democrats.

virtuous Republicans were forced to stay away from worship lest they should behold that mark of infamy.* The vestry not complying, the image was pulled down and flung into the street. The society at Charleston was quite as foolish. The members began by begging to be adopted into the Jacobin Club at Paris. This was granted.† They next persuaded the Legislature of South Carolina to suffer them to pull down the statue of Lord Chatham. The figure was of marble, and had stood for many years at the corner of Broad and Meeting streets. But the man whose glory it commemorated was an Englishman and an Earl, and it was therefore removed. As the workmen were taking it from the pedestal it fell, and the head rolled from the shoulders.‡ In the political pamphlets of that day the Republicans were accused of spitefully and wilfully chopping the head from the body.# But the charge was, undoubtedly, unjust. A few weeks later the City Council were led to declare that the words "His Honor" and "Esquire" should no longer be permitted to appear upon their journals.‖ Early one morning in April the Republicans of the same city, in a great rage, put effigies of Fisher Ames, William Smith, Benedict Arnold, William Pitt, and the devil upon a car, dragged them about the streets till sunset, and then gave them to the flames.^ Ames and Smith had bitterly opposed some resolutions of Madison in Congress, and Smith had spoken strongly against Dayton's resolution to se-

* "It is the wish of many respectable citizens that you cause the image and crown of George II to be removed as readily as possible. It has nothing to do with the worship of the most high God, nor with the Government under which we exist. It has the tendency to cause the Church to be disliked while bearing the marks of infamy. It has a tendency, to the knowledge of many, to keep young and virtuous men from attending public worship. It is therefore a public nuisance." General Advertiser, July 15, 1794.

† Gazette Nationale, No. 276, October, 1793. See, also, the account of the adoption as translated from the Gazette in The Jacobin Looking-Glass, p. 53.

‡ American Daily Advertiser, March 27, 1794. The statue was taken down March 13.

See some remarks in Peter Porcupine's pamphlet, A Bone to Gnaw for the Democrats. Second edition. February, 1795.

‖ American Daily Advertiser, May 15, 1794.

^ New York Daily Gazette, April 21, 1794.

quester British debts. He represented South Carolina in the House.*

Elsewhere the behavior of the Democratic Societies was much the same. One club in Virginia † declared the Constitution wanted mending. If this was not done, Washington might be again chosen President, and so become the greatest despot on earth. The Pittsburg Society saw with pain the lack of a Republican spirit in Congress. This was due to the pernicious influence of stockholders. It almost made the society long for a revolution and a guillotine. Then they could inflict punishment on the miscreants who disgraced the Government. ‡ The Society of Pennsylvania resolved that appointing John Jay Minister to England was contrary to the spirit and meaning of the Constitution, and that to intrust such a negotiation to such a man was a sacrifice of the peace and interests of the United States.# The language of the Wythe county Democrats was higher and more menacing still. They met at Wythe Court-House on the fourth of July, sang songs, drank toasts, passed resolutions, and drew up an address. A session of Congress having just ended, it was, they declared, a fit time to look back on the actions of the law-makers. They had watched each motion of those in power. They could not truthfully exclaim, "Well done, thou good and faithful servant." They had seen the nation insulted, their rights violated, commerce destroyed. And what had the servants of the people done in return? Under the corrupting influence of the paper system, they had uniformly crouched to Britain, and acted coldly toward France. "Blush, Americans, at the conduct of your Government. Shall we Americans, who have kindled the spark of liberty, stand aloof and see it extinguished, when burning a bright flame in France, which hath caught it from us? If a despot prevails, we must have a despot like the rest of nations." And what was despotism? Was it not the union of executive, legislative, and judicial authority in the hands of one man? And had not this

* For his address to his constituents explaining his conduct, see American Daily Advertiser, June 24, 1794.

† Democratic Society of Wythe County, Virginia.

‡ Gazette of the United States, May 5, 1794.

American Daily Advertiser, May 12, 1794.

union been effected? The Chief Justice had been made an executive officer. He had been sent to make a treaty. Treaties were the supreme law of the land, and of that law he was the Chief Judge. What hope was there for the liberties of a free people? It was lamentable to see a man who had so long held the confidence of the public put it to so great a test. Among the toasts drunk on this day two are worthy of notice. The fifth was, "George Washington—may he be actuated by Republican principles and remember the spirit of the Constitution, or cease to preside over the United States." The eighth responded to was, "The Guillotine—may it have an attractive virtue to draw despots to it." When the whole list had been gone through with, and the company had become quite jolly, a subscription paper was passed about among them. Money was wanted to buy copies of "The Rights of Man," to be freely scattered among the towns and hamlets of the county of Wythe. In a few minutes twenty dollars and seventy-five cents were gathered.*

The strictures which the Society passed upon Congress were, unhappily, but too well grounded. The strongest supporters of Government could not but feel that the temper of the House had been bad. Many of its acts had been rash. One had brought the country to the verge of war. The Houses assembled on Monday, the second of December, 1793. But the old year went and the new came before anything of importance was done. On the sixth of January, however, a bill was reached, and a discussion provoked, which throws much light on the condition of laborers and mechanics. The matter under debate was the pay of the soldiers. Each private at that time received every four weeks, as compensation for the hunger and privations he suffered at the frontier posts, a sum not so great as is now paid to the most unskilled laborer for three days of toil. His hire was three dollars a month. Such wages a member thought were too small, and he would gladly see them raised to five. He could not, he said, hire a workman who was to sleep in peace in his bed, and eat his dinner in comfort at a table, for the pay that was given to a soldier for enduring

* American Daily Advertiser, August 2, 1794. See, also, A Little Plain English addressed to the People of the United States on the Treaty. Peter Porcupine.

the hardships and dangers of his calling.* This was quickly denied. One told him that in the States north of Pennsylvania the wages which a common laborer took home with him each week were not superior to those of a soldier.† Another declared that in Vermont good men were hired for eighteen pounds a year, which was equal to four dollars per month, and out of this found their clothes. ‡ The bill was soon laid upon the table.

The next taken up was one to alter the flag. It came down from the Senate and gave great offence in the House. Not a member rose to speak but expressed his indignation at being kept from weighty matters to discuss so trivial a question. What difference did it make whether the flag had fifteen stripes or thirteen stripes? If the men of Kentucky and Vermont would be any the happier for having a stripe given them on the flag, then do so. But at that rate the flag would soon have twenty stripes and twenty stars, and would go on altering for a hundred years to come. The Senate must have wanted something to do when it framed such a frivolous bill. It was not, a member from Maryland declared, so trifling a matter after all. The change would cost him five hundred dollars, and every other man in the Union who owned one ship sixty dollars.

The matter the House was so anxious to take up proved one they were loath to leave. On the nineteenth of December the Speaker had laid before the House a letter from the Secretary of State, and a report on the privileges and restrictions on the commerce of the United States in foreign parts. On the third of January the House had gone into a Committee of the Whole to consider it, and had listened to a speech and some strong resolutions by Madison. He proposed to raise the tonnage duty on the ships of nations having no commercial treaty with the United States, to cut down the rates for such as had, and to lay special duties on a long list of goods made by European nations of the former class. That if any people refused to consider as vessels of the United States vessels not built within the United States, then a like restriction should be laid by America on the ships of that people built in foreign

* See Speech of T. Scott, of Pennsylvania. Annals of Congress.

† Speech of J. Wadsworth, of Connecticut. Ibid.

‡ Speech of J. Smith, of Vermont.

parts. That where articles made or grown in the United States were shut out from any country because they did not come in ships belonging to the United States, or where such goods were refused a landing because they did come in vessels of the United States, the restrictions should be made reciprocal. Finally, that where unlawful regulations had been imposed, and losses caused to American citizens thereby, such losses should be made good by greater duties on the ships, products, and manufactures of the offending nation.* Ten days later the debate began, and was marked on the one side by an intense aversion toward France, and on the other by bitter hatred of England.

This question, it was said by the men who, in the language of Madison, were Anglomaniacs, is a purely commercial one. To mingle in the discussion of it, considerations of a political nature would be both irregular and ill-timed. Everything which has any bearing on the conduct of Great Britain in stirring up the Indian war, in letting the Algerines loose upon us, or in holding our posts on the frontier, must be excluded. When this is done it becomes clear that the purpose of the report is to give a false impression of the comparative state of our commerce with foreign nations. This is most striking in the case of France and Great Britain. Our ears have long been filled with panegyrics on the generous commercial policy of France. We are constantly listening to harangues on the unfriendly, the illiberal, the persecuting policy of England. An examination of the commercial laws of these two nations ought, therefore, to show many discriminations by France in our favor, and many discriminations by England to our harm. Is this the case? Far from it. The reverse, in truth, is the case. Neither with regard to imports, nor exports, nor shipping, is there in France or in the French Indies more than one single discrimination in our favor. In Britain and the British Indies there are many. Of the long list of articles sent out to France, flour, grain, tobacco, indigo, pork, fish-oil, she gives preference to fish-oil alone. Of the list of staples sent over to England, six of the most valuable pay a lower duty when they come from America than when they come from elsewhere. If England has done us wrong, let some member come forward

* Annals of Congress, January 3, 1794.

and lay his finger on each particular act, and we are ready to resent it. But it is time this indefinite declamation stopped. We must do nothing in a spirit of revenge. If we pass these resolutions, England will surely strike back. And who, then, will be the greater sufferer? Let us look at this. Of the whole trade of Great Britain, that with the United States forms one sixth. Of the whole trade of the United States, that with Great Britain forms one half. Who, then, will suffer the more? Will it be England, by the loss of one sixth of her commerce? Or will it be America, by the loss of one half of hers? Will it be England, whose riches are great, whose sources of internal revenue are never dry, and whose people are used to bear heavy taxes? Or will it be America, whose sources of internal revenue are yet to be opened up, and whose people even now cry out against taxes which, compared with those the English suffer without a murmur, are trifling? Where do we get three fourths of our import revenue?* Where, to be sure, but from our English commerce? Shall we break with England and destroy our revenue? Our intercourse with Britain is not, it is true, as favorable to us as we could wish. But where do we get better terms? Do not our commercial relations show, if they show anything, that foreign nations treat us as they like?

To this it was answered, the question ought to be discussed on a political basis. Gentlemen come here with calculations three hours long. Let the merchants calculate in their counting-houses if they wish to; but the business of a legislature is of another kind. We have many wrongs to lay our fingers on, and it is high time they were redressed. The English have violated our treaty. They have taken away our negroes. They hold our frontier posts. They have set the savages upon our backs and they have turned the Algerines loose upon our commerce. Shall we sit still and bear this? Gentlemen say, How can we help it? They will retaliate. How retaliate? Will they refuse to sell us their manufactures? Have gentlemen forgotten that, even in old times, a non-importation agreement made them repeal their stamp-act? Did we then perish with cold? Did we not find among ourselves wherewith to make

* Imports from Great Britain and her dominions, $15,285,428; from France and her dominions, $2,068,348.

clothes? Then we gained our point. Are we less likely to do so now, when we are much more powerful with the same weapon? Many of her manufacturers are already starving in idleness. By ceasing to buy English goods we shall greatly increase this distress. Then will the Government be brought to its senses, and we shall soon have a commercial treaty on our own terms. "Whence this change in American sentiment? Has America less ability than she had then? Is she less ready for a national trial than she then was? This cannot be pretended. There has been, it is true, one great change in her political situation: America has now a funded debt." May not this have much to do with our loss of spirit, our national debility? The good of the few who receive the public money is more considered than that of the many who furnish the public money. We are told we ought not to pass these resolutions while England is engaged in her war. Why not? What time should be chosen by a wise nation, comparatively weak, to demand recompense from an unjust nation, comparatively strong? Would it not be when the strong nation is so engaged that she cannot put forth all her strength? The old adage, no friendship in trade, is a wise one. Never was there a better time to use it. The West Indies are dependent on us. Unless we send them lumber and take their rum they cannot flourish. At this moment the Governor of Jamaica is proclaiming their distress. Now is the time to dictate the regulations of our trade.

On the same side was Madison. But his argument was made in one of those temperate, cool, and carefully prepared speeches for which he is so justly famed. No debate so exhaustive had yet taken place in the House. The whole subject of commercial relations of the United States was passed in review. Statistics of imports, of exports, of tonnage, foreign and domestic; the carrying trade, the duties laid by England and France; the benefit of free trade and of protection; the channels of trade; the effect of war on freight and insurance; the tax on American agriculture by British wars, were each fully discussed.

In the midst of the discussion a message came down from the Senate.* The concurrence of the House was asked to a

* January 15, 1794.

proposed constitutional amendment to be offered to the States. The amendment in time became the eleventh, and declares, in substance, that a citizen cannot sue a State. The Supreme Court had decided that he could. Alexander Chisholm, an executor and a citizen of South Carolina, had begun a suit against the State of Georgia. The case came on in the August term, 1792, with the Attorney-General of the United States as counsel for the plaintiff. Georgia did not appear, and Randolph thereupon moved that, unless the State of Georgia did, on the fourth day of the next term, cause an appearance to be entered, or show cause why not, judgment be entered against her, and a writ of inquiry of damages awarded. But, lest anything should be done hastily, the Court put off consideration of the motion till Tuesday, the fifth of February, 1793.

Meantime the Legislature of the defendant State took action.* That body saw three reasons why the summons should not be obeyed. If heeded, numberless suits would at once begin for paper issued from the Treasury to supply the needs of United States troops; the citizen would be vexed by perpetual taxes in addition to those the funding system had so unjustly imposed; but, what was worse than all, the retained sovereignty of the State would be destroyed. It was resolved, therefore, that the second section of the third article of the Constitution gave the Supreme Court no power to force the State to answer any process that might be sued out; and that the State would not be bound by any judgment.

When the day for considering the motion came, four questions were raised: Can the State of Georgia be made a party defendant in any case in the Supreme Court of the United States at the suit of a private citizen, even though he is and his testator was a citizen of the State of South Carolina? If so, does an action of assumpsit lie against her? Is the service of the summons on the Governor and Attorney-General of Georgia a competent service? By what process ought the appearance of the State to be enforced?

To the first question both the letter and the spirit of the Constitution, Randolph held, answered Yes. We read, said he, in that instrument that, in cases in which a State shall be a

* December 14, 1792.

party, original jurisdiction is given the Supreme Court. Does this mean that the State must be a plaintiff? Can not a defendant be a party as well as a plaintiff? In the order in which the controversies are mentioned the State is first; and from this it may be argued that the controversies must be those in which a State is first named, or plaintiff. But the order of the words is of no consequence. No one denies that the citizens of a State may sue foreign subjects, and foreign subjects citizens of a State. Yet the words of the Constitution are, "between a State, or the citizens thereof, and foreign states, citizens, or subjects." Nor is the spirit less clear than the letter. States are forbidden to pass bills of attainder, to make *ex-post-facto* laws, to coin money, to make treaties, to grant letters of marque, to put out bills of credit, to impair the obligation of contracts, to lay imposts, to do a great many acts likely to injure individuals or oppress sister-States. But suppose a State does any of these things? Is there no remedy? Has not common law set up the principle that the infraction of a prohibitory law, even when an express penalty is omitted, is still punishable? How can an infraction of these prohibitions be punished except by suit, by making a State a defendant?

That an action of assumpsit could lie against Georgia was not to be doubted. Could not a State assume? Could not a State make a promise? Was it not on this ground that the treaties were based, nay, that the Constitution transmitted the obligations of the old Government to the new? Service of the summons on the Governor again was a competent service. The defence could not rest on the Judiciary. The business of the Legislature was merely to provide funds for damages. The Executive was, therefore, the only representative of the State, whose duty it was to defend her. As to what should be done to compel her to appear, the Court alone could decide.

After deliberating for two weeks, the decision of the Court was handed down. Judge Iredell discussed the question: Will an action of assumpsit lie against a State? His opinion was that it could not. To Judge Wilson's mind the whole matter turned upon this: Do the people of the United States form a nation? The term sovereign, he declared, is not known to the Constitution of the United States. Even its correlative, subject,

occurred but once, and then the word, foreign, was before it. We were all citizens, not subjects, of the United States. First were the people, then the State, and everything else was subordinate to the State. By a State he meant a collection of free persons united together to enjoy peaceably what was their own, and to do justice to others. The State had undoubtedly its rights. But had it no obligations? A State, like a merchant, makes a contract. A dishonest State, like a dishonest merchant, refuses to discharge it. The one is amenable to a court of justice. Shall the other be suffered to cry out, "I am a sovereign," and go free? Surely not. The people of the United States intended to and did form themselves into a nation for national purposes. They established a national Government, with powers legislative, executive, and judicial, and spread their powers over the entire land. No man, no body of men, can claim entire exemption from the jurisdiction of the national Government. The State of Georgia was, therefore, amenable to the Supreme Court, and the action lay.

With this opinion Judge Blair and Judge Cushing agreed. The Chief Justice, John Jay, was of the same mind. Sovereignty was the right to govern. In Europe that right generally belonged to a prince. In America it belonged to the people. There are subjects. Here are none. All are citizens equal in civil right, and in this respect no one inferior to another. Philadelphia contained forty thousand such free citizens, any one of whom might sue the rest collectively. Delaware was inhabited by fifty thousand such free citizens. Was it just that any one of these should be forbidden to sue the rest? What gave this exemption? Was it the difference between forty thousand and fifty thousand? In a land of equal liberty shall forty thousand in one place be made to do justice, and fifty thousand in another suffered to do injustice? No! One State was undoubtedly suable by a citizen of another.*

The order of the Court was that, unless Georgia appeared, or showed cause by the first day of the next term, judgment by

* See A Case decided in the Supreme Court of the United States, in February, 1793, in which is discussed the Question, "Whether a State be Liable to be sued by a Private Citizen of another State." Published by Order of the State of Massachusetts.

default should be entered. Alarmed at the consequences of this decision, both the House and Senate hurried through the proposed amendment without debate. It appeared in the Senate on the second of January, and passed the House on the fourth of March. This done, the Committee of the Whole resumed the consideration of Madison's resolutions. The first of the seven had passed by a majority of five.* But on the others no vote was ever reached. A measure so pacific could do nothing toward curing the evil the conduct of England had produced. Each day war seemed more imminent than on the last, and Congress began to prepare for it. The very day after the embargo was laid it was proposed to make a requisition on the States for eighty thousand militia, to add twenty-five thousand troops to the regular force, and to sequester every British debt.† The mover was Jonathan Dayton, of New Jersey. ‡ The plan was to seize all money due from citizens of the United States to subjects of King George, pay it into the Treasury, and hold it as a pledge for the indemnification of such merchants and captains as had been robbed of ships and cargoes by British privateers. It is pleasing to recall that, seventy-eight years later, a very similar claim was settled in a very different way. Had a congressman at the close of the Civil War been foolish enough to demand the sequestration of English debts till the damage done our merchants by the Alabama and the Florida, the Sumter and the Shenandoah, was paid to the last cent, he would have been denounced and laughed at over the whole land. In 1794, had a congressman risen in his place

* February 3, 1794.

† The call for the militia passed, but not the proposed addition to the regular force.

‡ Madison's seven resolutions are too long to cite. Those of Mr. Dayton are not. "Resolved, That provision ought to be made, by law, for the sequestration of all the debts due from citizens of the United States to subjects of the King of Great Britain.

"Resolved, That provision ought, in like manner, to be made for securing the payment of all such debts into the Treasury of the United States, there to be held as a pledge for the indemnification of such of the citizens of the said States as shall have suffered from the ships-of-war, privateers, or from any person or description of persons, acting under the commission or authority of the British king, in contravention of the Law of Nations, and in violation of the rights of neutrality." Introduced March 27, 1794.

and even suggested submitting the matters in dispute to the arbitration of the crowned heads of Europe, he would have been denounced in the House as an aristocrat and a monarchist, and execrated by every Democratic Society from Maine to the backwoods of Kentucky. When the debate had gone on for some days the discussion was postponed; the resolutions abandoned and a new set brought in. The Republicans now proposed that all intercourse with Great Britain should cease till she gave up the western posts and paid for the damage her privateers had done in the Windward Isles.*

Washington, when he heard this, was greatly alarmed. The House, he thought, was bent on war. He was bent on peace, and to procure it determined to send an envoy extraordinary to London. No man seemed quite so fitted for the place as Hamilton. But no sooner had he mentioned this to Randolph than letters denouncing Hamilton began to come in from every quarter. One member of the Virginia delegation protested in violent language. Monroe offered to give his reasons at a

* Mr. Clarke's resolution was: "Resolved, That, until the government of Great Britain shall cause restitution to be made for all losses and damages sustained by the citizens of the United States from armed vessels, or from any person or persons acting under commission or authority of the British king, contrary to the Laws of Nations, and in violation of the rights of neutrality; and, also, until all the posts now held and detained by the King of Great Britain, within the territories of the United States, shall be surrendered and given up, all commercial intercourse between the citizens of the United States and the subjects of the King of Great Britain, so far as the same respects articles of the growth or manufacture of Great Britain or Ireland, shall be prohibited: Provided, Such prohibition shall not extend to vessels or their cargoes arriving in any of the ports of the United States before the ——— day of ——— next." Introduced April 7, 1794. The resolution, greatly changed, passed the House, but was lost in the Senate by the casting vote of the Vice-President. As amended it read:

"Whereas, the injuries which have been suffered, and may be suffered, by the United States, from violations committed by Great Britain on their neutral rights and commercial interests, as well as from her failure to execute the seventh article of the Treaty of Peace, render it expedient, for the interest of the United States, that the commercial intercourses between the two countries should not continue to be carried on in the extent at present allowed.

"Resolved, That, from and after the first day of November next, all commercial intercourse between the citizens of the United States and the subjects of the King of Great Britain, or the citizens or subjects of any other nation, so far as to the same respects articles of the growth or manufacture of Great Britain or Ireland, shall be prohibited." Annals of Congress, April 21, 1794. Passed April 25. Yeas, 58; nays, 34.

private interview. Washington with great shrewdness asked for them in writing. But Monroe had none to give. The protests, however, were successful, and, just as the dreaded resolutions passed in the committee, Washington sent to the Senate the name of John Jay. On the nineteenth of April his nomination was confirmed. On the twelfth of May he sailed out of the harbor of New York in the ship Ohio.* On the eighth of June he landed at Falmouth.† On June ninth the Senate sent down word to the House that its work was done, and it was about to adjourn.

But Congress meanwhile had not been idle. Monroe had been confirmed as Minister to France, and John Quincy Adams as Minister at the Hague. The non-intercourse bill had passed in the House, and been thrown out in the Senate by the casting vote of Adams. Taxes were laid on salt and coal, on sugar and snuff, on boots and shoes, on spirits, coffee, carriages, and cheese. The snuff-grinders and the sugar-makers cried out that they were ruined men, and covered the Speaker's table with petitions. One carriage-owner declared the tax was direct and unconstitutional, and took the question to the Supreme Court; but his view was not sustained. The new impost duties, the bill ordered, should remain till 1797. The internal duties were to be in force for two years, and be collected by the same men who gathered the tax on domestic spirits. Of all the taxes the Government had yet laid, the excise was the most despised at the stills. In New England and at the docks at New York the tax was indeed regularly paid; but it was paid with hearty imprecations on the collector and the Government. In western Pennsylvania the whiskey stillers had long declared they would never enter a still nor pay one cent of the tax. They were now put to the test.

* American Daily Advertiser, May 14, 1794. † Ibid., August 16, 1794.

CHAPTER IX.

THE BRITISH TREATY OF 1794.

WHAT a bank-bill was at Philadelphia or a shilling-piece at Lancaster, that was whiskey in the towns and villages that lay along the banks of the Monongahela river. It was the money, the circulating medium of the country. A gallon of good rye whiskey, at every store at Pittsburg, and at every farm-house in the four counties of Washington, Westmoreland, Alleghany, and Fayette, was the equivalent of a shilling-piece. A tax of seven cents a gallon was, therefore, a crushing one.* The people held it to be iniquitous, and every man who paid it a public enemy. If a collector came among them he was attacked, his books and papers taken, his commission torn up, and a solemn promise exacted that he would publish his resignation in the Pittsburg Gazette. If a farmer gave information as to where the stills could be found, his barns were burned. If a distiller entered his still as the law required, he was sure to be visited by a masked mob. Sometimes his grist-mill was made useless, sometimes his stills destroyed, or a piece of his saw-mill carried away, and a command laid upon him to publish what had been done to him in the Gazette. One unhappy man, who had rashly rented his house to a collector, was visited at the dead of night by a mob

* Spirits of the first proof, if distilled from materials of the growth or produce of the United States, were taxed seven cents a gallon; of the second proof, eight cents; third proof, nine cents; fourth proof, eleven cents; fifth proof, thirteen cents; sixth proof, eighteen cents. Stills of less capacity than four hundred gallons were to pay yearly fifty-four cents for each gallon capacity; or, if the proprietor preferred, seven cents for every gallon distilled, or at the rate of ten cents per gallon on the capacity for each month the still was run. Acts of Second Congress, Chapter XXXII. May 8, 1792.

of blackened and disguised men. He was seized, carried to the woods, shorn of his hair, tarred, feathered, and bound to a tree.

To the maskers who took part in such acts the name of Tom the Tinker was applied. The term was not one of reproach. A certain John Holcroft first made use of it, and the great body of malcontents instantly assumed it as their party name. It appeared everywhere. No posters were put up on the trees, no handbills were scattered in the highways, no placards were displayed in conspicuous spots, but the words Tom the Tinker were at the foot of them. Under that name individuals were threatened and the public admonished.

But the hatred these men felt for the excise law was much increased when they heard that the State courts had no jurisdiction over excise suits; that every man who did not enter his still, who did not pay his tax, who did not suffer the inspector to pry into his cellar or his barn, could be forced to quit his hay-field or his grain-field, go over the mountains to Philadelphia, and stand trial in a Federal Court for offences he had committed in a district three hundred and fifty miles away. This complaint was felt to be so just and reasonable that Congress, early in 1794, attempted to remove it. On the seventh of February a House committee was named to consider what further legislative provisions were needed to insure the collection of the duty. On the fourth of April a bill was presented. On the twenty-fourth of May it passed. Six days later it was amended and passed by the Senate. The following day each branch chose managers for a conference. On the third of June an agreement was made by message, and, two days later, the President signed the bill. The ninth section of the act gave the State courts jurisdiction over cases which arose more than fifty miles from the nearest Federal Court.

The matter was still under debate in Congress, when a process went out from the District Court at Philadelphia against seventy-five distillers who had disobeyed the law. Fifty were in the five counties of Fayette and Bedford, Alleghany, Washington, and Westmoreland. Each writ is dated the thirteenth of May, and each is entered in the docket as issued on the thirty-first. But the officials were so tardy, that it was

July when the Marshal rode West to serve them. He arrived in the hurry of harvest, when liquor circulated most freely and drunkenness was most prevalent. Yet he served his writs without harm till but one was left. It was drawn against a distiller named Miller, whose house was fourteen miles from Pittsburg on the road to Washington. On the morning of July fifteenth the Marshal set out from Pittsburg to serve it. He found Miller in a harvest-field surrounded by a body of reapers. All went well till he was about to return, when one of them gave the alarm. While some threw down their scythes and followed him, others ran back to the house of the brigade inspector near by. There the Mingo Creek regiment had gathered to make a select corps of militia as its quota of the eighty thousand minute-men required by Congress. All had drunk deeply, and as the messengers came up shouting, "The Federal Sheriff is taking away men to Philadelphia," they flew to arms. Though it was then night, many set off at once, and, gathering strength as they went, drew up the next morning, thirty-seven strong, before the house of the Revenue Inspector Neville, near Pittsburg. At the head of them was that John Holcroft who had whitened half the trees in the four counties with the effusions of Tom the Tinker. The inspector demanded what they wished. They answered evasively. He fired upon them. They returned the shot, and were instantly opened on by a band of negroes posted in a neighboring house. At this the mob scattered, leaving six wounded and one dead.

Made more furious than ever by the loss of their companions, the malcontents spent the day in spreading the news and exciting the people. At nightfall, five hundred armed men were gathered at Couche's Fort, a few miles from the inspector's house. Among them was a minister named Clark, whose age and good deeds made him respected by the most reckless in the community. He besought the crowd that stood about him to be orderly and go back to their homes. But they would not hear him, put a revolutionary soldier in command, and marched to the house of Inspector Neville. He was gone, and in his stead were a major and eleven soldiers from Fort Pitt. When the rioters had come near the house they halted and sent forward a truce. The flag-bearer demanded the papers of the inspector.

He was told the inspector was gone. He then asked that six men might be allowed to search for the papers. This was refused. He thereupon warned the women to quit the building. A few minutes later the firing began. When it had gone on for some time a shout was heard from the house. The officer who commanded the mob stepped from behind a tree to bid his men cease firing. The next instant he fell forward on his face, dead. While some bore his body to a place of shelter, others prepared to storm the building and set fire to the barn. From the barn the flames spread to the out-buildings, from the out-buildings to the house, and the troops, half smothered by smoke, marched out and surrendered. The Marshal had already been taken. But so carelessly were the prisoners guarded that all escaped before the day was ended. The troops went back to the fort. The Marshal fled down the Ohio.

Their work done, the rioters departed in great glee. But, before separating, they agreed to meet at Mingo Creek on the twenty-third of July. When the day came a crowd of distillers and farmers gathered in the meeting-house. The question before them was, Should the actors in the late riot be supported or left to themselves?* Approve the riot they dared not. Disapprove it they would not. They ended, therefore, by issuing a call for a great meeting of delegates from the western counties of Pennsylvania and the neighboring counties of Virginia. Parkinson's Ferry was thought the most convenient place, and thither they were bidden to come on the fourteenth of August. The state of the western country was to be discussed.

The leader of the meeting at Mingo Creek was David Bradford, the most noisy and bitter of the malcontents. To him the discussion seemed tame and spiritless. He would do something to rouse the whole community to action. He would find out who were the friends of Government, excite the people against them, and unite every man in the four counties in acts of violence which would force him, in self-defence, to support the insurrection to the last. With this in view he quickly planned and executed a robbery of the mail. On the twenty-fifth of July, as the post-rider from Pittsburg drew near to Greensburg, two armed men stopped him, seized his port-

* History of the Western Insurrection. H. M. Brackenridge.

manteaus, and rode off with them to Canonsburg. There a colonel and a storekeeper, the chief characters of the place, were invited to the tavern and the mail opened and read. The letters from Washington had not a word about the attack on the Marshal and Inspector. But in the Pittsburg bundle were several that gave great offence. Such as were judged harmless were put back in the bag and three men from Washington hired to carry them to Pittsburg. As the robbers sat in the tavern discussing the affair, their talk naturally turned to the fight at the house of Neville. What, it was asked by some one, would be done to those who took part in it? "They will be hung," said Bradford, and he then suggested a way to protect them.* Let something be done to involve the whole western country in the matter. Then, the number of offenders being large, Government could not take severe measures. His plan seemed a good one. It was to call out the militia. The custom had long prevailed in the western counties for the troops to assemble at the summons of their officers, without ever questioning the authority, or demanding to know the reason of the call.† This the little band at the tavern well knew, and, urged by Bradford, made use of it. Copies of a circular letter were quickly prepared and addressed to the officers of the militia. It was drawn up in the same manner as a proper order would have been, and bade them meet at Braddock's Field on the first day of August with as many volunteers as could be raised. "Here, sir," it said, "is an expedition proposed in which you will have an opportunity of displaying your military talents, and of rendering service to your country. Four days' provisions will be wanted; let the men be thus supplied."‡ But the runners had scarcely set off with the letters when Bradford began to dread the result. In great alarm he countermanded the call. Then, in the true spirit of a demagogue, hearing that his countermand was denounced by the people, he denied that he wrote it.

* See Rev. James Carnahan's Paper on the Insurrection. Proceedings New Jersey Historical Society, vi, p. 125.

† See Judge Alexander Addison's Charge to the Grand Jury, December, 1794. Memoirs Historical Society of Pennsylvania, vol. vi, p. 174.

‡ Brackenridge Incidents, vol. i, p. 40. Findley's History of the Insurrection in the Four Western Counties of Pennsylvania, p. 95.

Meanwhile every horseman that came into Pittsburg brought an alarming report. One told of the robbery of the mail. Another declared that, in consequence of the letters found in the bags, expresses were hastening through the four counties, exciting men, and bidding them arm and hurry to Braddock's Field. A third asserted that from the Field the army would march upon Sodom, such was the name they bestowed upon Pittsburg, destroy it, and put all the soldiers to flight. Alarmed by these stories, a meeting of townsmen was held at the Court-House on the evening of Thursday, the thirty-first of July. But scarce were the people assembled when four strangers rode into town.

They came from Washington county with messages to the men at Pittsburg, and, having announced this, were at once attended by a committee. The committee soon reported to the meeting. It was the wish of the people of Washington that four men obnoxious to the "Whiskey Boys" should be banished from the town, and that the inhabitants should march to Braddock's Field the next morning. If this were not done, every house in Pittsburg would surely be laid in ashes. The four strangers further stated that they must have their answer immediately; that they knew the terms were hard; that they had no power to moderate them in the slightest; and that it was with great difficulty that those who sent them had been induced to offer any terms whatever.* The meeting in terror yielded everything. A resolution to go to the Field passed without a murmur, and a committee of twenty-one was sent to ask the proscribed four to quit the town. Two readily agreed. Two for a while stood out, but at last gave way and said they would leave early on the morrow.

As each man went back to his home from the Court-House, he felt that he was doing so for the last time. Before another sun set his house might be a heap of ruins, and his family seeking food and shelter among the farmers on the banks of the Alleghany. The people were in despair. Through the whole night not a soul slept. Lights gleamed in the windows of every house. The women were in tears. The men were

* See letter of John Wilkins to William Irvine, in Memoirs of the Historical Society of Pennsylvania, vol. vi, pp. 183–187.

busy hiding papers, burying money, and putting every piece of property they could in a secure place.* At sunrise the printer was still running off handbills to be distributed among the mob on Braddock's Field.† At nine o'clock the banished men rode off and went over the river. At ten the people began to march for the Field. ‡ That night the army, so it was called, lay upon its arms. When Saturday morning dawned, messengers were sent to Pittsburg. Stores and taverns were ordered to be shut; liquor forbidden to be sold; craft commanded to be in readiness to carry the army over the Monongahela; and the women assured that it was coming in peace. One who stood by the roadside as the insurgents marched by, declares that the line stretched away for two miles and a half, and numbered not far from six thousand souls.# It was high noon when the front rank entered the town. But the sun had gone down behind the Ohio hills before the last boat-load went over the Monongahela river. ‖

In the midland counties the news of the riot and the meeting was hailed with unconcealed delight. In the far East it awakened serious alarm. A stranger in Philadelphia at that time, had he listened to the talk in the taverns, or attended a meeting of the Democratic Society, or read the articles in the Republican newspapers, would have supposed the whole city was ripe for rebellion. But the moment rebellion broke out, the moment the disaffected heard that sixteen thousand "Whiskey Boys" had armed themselves, defied the Government, and driven its friends and officers across the mountains, they ceased

* "I believe most of the Women in town were in tears; the people appeared (by the lights) to be all stirring, and I believe the most of them hiding property. I also begun to hide or bury property." John Wilkins to William Irvine.

† For a reprint of the handbill, see American Daily Advertiser, August, 1794. "Mr. Scull printed all night, in order to have a sufficient number to distribute among the people on Braddock's Fields, hoping this, together with our compliance to their orders, would moderate the rage of the people for that time and save the town. . . ." John Wilkins to William Irvine, August 19, 1794.

‡ "We entered the field, and marched about one mile through a crowd of people, scarce a face known to me—a constant fire of small arms was kept up, equal to almost any battle, some loading and firing for their diversion, others blazing away at the trees." Ibid.

John Wilkins to William Irvine. Memoirs Historical Society of Pennsylvania, vol. vi, p. 186.

‖ Ibid.

for the time to complain, called for vigorous measures, joined the militia, or subscribed liberally toward the support of the families of men who went out to the rendezvous at Carlisle. No body of men had been so forward in condemning the excise act as the Democratic Society. Yet it now declared that, while it still thought the law oppressive, hostile to liberty, and "a nursery of vice and sycophancy," it highly disapproved of the conduct of its western brethren.* When such language was used by such men, every reasonable person ought to have known that the community was strong upon the side of Government. This, however, Governor Mifflin would not believe. When he was urged to act with vigor, call out the troops, take his place at their head, and put down the rebellion with a strong hand, he hesitated. He feared a resort to force would only make matters worse. He did not believe the militia would "pay a passive obedience to the mandates of the Government." Indeed, he was not sure that he had any authority to summon them. The Federal Courts might not be able to keep order. But it did not follow that the State Courts were powerless to punish the rioters. It would be better to send a scolding letter to the State officers in the West, bidding them do all they could to restore peace. This he did.

No such fears were felt by Washington. He was resolved that the insurrection should be suppressed. If the State Government would not do it, then the Federal Government must. He first secured a certificate from a judge of the Supreme Court, setting forth that in the counties of Washington and Alleghany the laws of the United States were set at naught, and that the courts were unable to enforce them. He then published a proclamation commanding the malcontents to desist, made a requisition for twelve thousand nine hundred and fifty militia, and fixed the first of September as the day for moving them.

Governor Mifflin now grew bold. In one proclamation he summoned the Legislature. In another he declared he would obey the requisition for troops. At the same time he named the Chief Justice and William Irvine, a militia general, commissioners to treat with the "Whiskey Boys." Washington added

* American Daily Advertiser, August 9, 1794.

three more, and the five were soon on their way to Pittsburg. They were still higgling with the leaders of the rebels when the military began so assemble. New Jersey and Virginia, Pennsylvania and Maryland, were to furnish the soldiers. In the towns separated by hundreds of miles from the scenes of rebellion the regiments mustered and the drafts were made in peace and quiet. But in the counties which lay near the eastern slopes of the mountains every muster was a scene of disorder. Half the inhabitants of the mountain villages were as ignorant of what went on a hundred miles away as of what went on in Siberia. They seldom saw an Eastern newspaper, and when they did, could with difficulty read it. Of such men the runners of the Whiskey Boys made easy dupes. No story that the ingenuity of man could invent was too absurd to be believed by them. A great meeting was held one day at Frederick, in Maryland. More than half the citizens of the place came, and among them were some emissaries from the West. As the discussion went on, these men rose up one after another, and excited the people with most shameful lies. One asserted that the Government was taxing not only whiskey, but wheat and rye, and that he had himself paid a tax of fourpence per bushel at Baltimore. Another said that this was not the worst; that flesh and blood were no better, in the eyes of the odious law, than sticks and stones, and that at Pittsburg every boy at birth was taxed fifteen shillings and every girl ten.* At this the crowd seemed so shocked that a third ventured to damn Congress, and cry out, "God save King George." He was tarred and feathered and marched to the county line.†

Westward from Frederick lay Martinsburg and Hagerstown. When the drafts began at Hagerstown a crowd gathered, beat the officers, drove them from the field, and at the dead of night put up a liberty-pole. In the morning the magistrate cut it down. Then the mob became furious, sent runners through the county, collected a great force, and put up a second pole. All who refused to join their ranks were soundly beaten,

* Letter from a respectable correspondent of the printers of this paper, dated Frederick, September 6, 1794. American Daily Advertiser, September 15, 1794.

† Ibid.

and threats were made of marching to Frederick to seize the arsenal. The merchants in terror closed their shops and refused to sell the rioters flint and powder.* At Middletown † and Martinsburg ‡ like disturbances broke out. At Carlisle an armed band rode into town one evening, burned an effigy of the Chief Justice of the State, and erected a liberty-pole on the little patch of grass which passed by the name of the public square. On the pole were the words "LIBERTY and NO EXCISE, O WHISKEY!" Some friends of order cut it down. Thereupon the mob again assembled, got a still larger pole, inscribed it "Liberty and Equality," and planted it close by the door of a man who had been lodged in jail for disorder.# The whole western country began, in the language of that time, to bristle with anarchy-poles. From some floated red flags bearing the number of the rebellious counties. On others were the words "Liberty or Death," or "Liberty and Equality," or "No Excise."

Meanwhile the roads were choked with soldiers. From Trenton, from Lambertsville, from Philadelphia, from Baltimore, from Alexandria, from scores of towns of lesser note, they began to hurry westward, and soon thirteen thousand men were gathered at Bedford and Cumberland. The troops of Virginia were led by that Daniel Morgan who charged the barriers at Quebec and won the battle of the Cowpens. At the head of the Maryland quota was the Baltimore member of Congress. Governor Howell commanded the Jersey Blues. Governor Mifflin led the troops of Pennsylvania. But chief of them all was Governor Lee, of Virginia. The left wing gathered at Fort Cumberland and went thence by the Braddock road over the mountains. The right wing took the northern or Pennsylvania road. The way lay through Pottsgrove, through Reading, through Lancaster, Wright's Ferry, and Yorktown, and on to Carlisle. There a halt of seven days was made, and there Washington overtook the troops. Thence an unbroken march of six days brought the army to Bedford.

Every man in the army, from the highest to the lowest, was

* American Daily Advertiser, September 10, 1794. See, also, for August 25, 1794.

† Ibid., September 22, 1794.

‡ Ibid., September 15, 1794.

Ibid., September 20, 1794.

CALIFORNIA

in the best of spirits. The fears of Mifflin had not been realized. The Legislature had commanded him to accept volunteers; he had gone through the southern counties, and, by the fire of his eloquence, had filled the ranks. Much help had been derived from the bounty, and from the promise of the people of Philadelphia that the families of men who went out from that city should be well cared for till their return. Hundreds of youths, too young to have taken part in the Revolution, but who could remember no time when they had not heard stories of camps and battles, made haste to enlist, and learn the first lessons of war. Some wrote back that they missed the comforts of a home, that sugar and chocolate and brandy were not to be had,* and that their duties were often so hard that they lay down at night on a bed of straw † and slept as soundly as in the valanced bed in the little room under the gable. Others gave glowing accounts of the new land into which they were come. Never before in their lives had they been so far from home. They had grown up in a country where nothing higher than a low hill was to be seen. And now, as they beheld that wild region set off with all the splendors of an Indian summer, they forgot the weight of their muskets and clumsy canteens. The beauty of the little town of Bedford, shut in on three sides by hills, white in the day with the tents, and red during the night with the fires of six thousand troops, filled them with amazement. ‡ But it was not till they reached the eastern slopes of the Alleghany Mountains that their surprise was the greatest. To walk all day without passing a pleasant vale or a rich farm, to clamber up steep roads bordered with precipices and shut in by great masses of rock, was an experience wholly new to them.# Though the rain poured down in torrents, though the mud lay ankle-deep, though the tents and the baggage-wagons could not keep pace with them, though they were forced, drenched and hungry, to sleep at night where best they could, though the officers grumbled and the men complained, they pushed manfully on. Hannibal, it was proudly said, never made such a

* American Daily Advertiser, October 25, 1794.

† Extract of a letter from Bedford. American Daily Advertiser, October 25, 1794. ‡ Ibid., November 1, 1794. # Ibid., November 6, 1794.

march.* As they passed down the western slope and looked over the rich counties in which they were to restore peace, they wondered that in such a land men could ever be ill at ease.†

The purpose of the army was to overawe, not to fight, and so leisurely did it move that six weeks were consumed on the way. Mifflin led his portion of the Pennsylvania quota out of Philadelphia on September nineteenth; and rode into Bedford on October eighteenth‡; but it was the eighth of November when the two wings reached Parkinson's Ferry. There the troops had long been expected. On the morning of the fourteenth of August the Parkinson's Ferry meeting took place. Upward of two hundred delegates were present. They came from Virginia, from that part of Bedford county which lies to the west of the Alleghanies, and from every township in the four counties of Washington, Westmoreland, Alleghany, and Fayette. No building in the town could hold so many men. They met therefore in the open air, in the shade of some trees that covered a neighboring hill. Around them stood a great crowd of farmers and still-owners, armed and anxious. Beside them rose a tall liberty-pole inscribed "Liberty and no Excise! No Asylum for Cowards and Traitors." Of the men to whom the multitude looked up as leaders, a few came in after-years to fame and place. Chief among these was Albert Gallatin. Like Hamilton, like Dallas, like Duponceau, like Duane, Gallatin was by birth a foreigner. His native land was Switzerland. There he was educated, and thence, when a lad of nineteen, he went to seek his fortune in America.

The meeting was opened by fiery speeches and a strong set of resolutions. Gallatin opposed one of them, and, while the debate was still going on, word was passed about that the commissioners sent by the President had arrived. A committee of three from each county was instantly chosen to meet them. Sixty others were then named and power given them to call a

* American Daily Advertiser, November 6, 1794.

† For an interesting account of the march, see letters of A. J. Dallas to his wife. Life of A. J. Dallas by G. M. Dallas, pp. 33–45.

‡ Ibid., September 20, 1794. # Ibid., November 1, 1794.

new meeting. The conference was held at Pittsburg. The demands of the commissioners were reasonable, and after some show of opposition the twelve gave way. For this they were strongly blamed. They had, it was said, been bought. They had sold the liberty of their countrymen for Federal gold. Tom the Tinker, in a letter to the Pittsburg Gazette, plainly accused them of taking bribes.

Meanwhile the committee of sixty had been summoned to meet at Red Stone Old Fort on the twenty-eighth of August. Fifty-seven came. Gallatin again spoke for law and order, but Bradford was eager for rebellion. For a while it seemed likely that his counsel would prevail, as the temper of the men who stood about the committee was bad. Even as Gallatin spoke some aimed their rifles at his head. Some by other signs gave the committee to understand which way they were to vote. When, therefore, the resolution to accept the offers of the commissioners was about to be put, it was clear to all that no one would dare to vote yes. But Gallatin was ready with an expedient. On each piece of paper he wrote the words yea and nay. The ballots were then distributed, each voter destroyed whichever word he chose, dropped the other in the box, and no one knew how he voted. The count showed that thirty-four of the bits of paper contained the word yea, and twenty-three nay. A new committee of conference was then appointed and the fifty-seven adjourned.

One of the demands of the commissioners was that every man of the committee of sixty should plainly declare his readiness to obey the laws. Another was that the people should be urged to do likewise, and to promise not to harm the excise officers in any way. With these went the assurance that, if the people would give such a promise before the fourteenth of September, all would be well. The new committee of conference now came to ask that the time might be extended till the tenth of October. The commissioners refused. They could not, they said, do so. The question of obeying the excise law was therefore instantly put to the people. On the eleventh of September the vote was taken in every township. Three days later the judges of election met, counted the vote, put down their opinion of the result in writing, and sent it to the

commissioners at Union Town. No report came from Allegheny. From Westmoreland came word that no excise officer could with safety enter it. From Washington and Fayette nothing which could be considered an expression of opinion was received, and the commissioners, much disheartened, turned their steps homeward.

By this time the malcontents began to grow frightened and the friends of order to pluck up their courage. A committee from the towns in Fayette assured Governor Mifflin that, if no outbreaks should happen elsewhere, peace might be quickly restored among them. Three days later the people of Pittsburg assembled, denounced the expulsion of their fellows, and bade them return. In October the Parkinson Ferry delegates once more met and sent two of their number over the mountains to meet the approaching troops. One was named David Redick. The other was William Findley, the Antifederalist, the bitter hater of the Government, and afterward the author of a pleasing history of the insurrection in which he bore a part. They met the army at Carlisle, were received by Washington, presented a copy of some resolutions, explained the state of the Western country, and, it is likely, urged him to turn back the troops. But such assurances of peace as they could give were thought insufficient. The troops marched on. Redick and Findley rode back in haste to Pittsburg for more explicit commands. Again the Parkinson Ferry Convention was called, again resolutions more favorable than ever were passed, and again Findley went back to the army. But Washington had then gone to Philadelphia to be present at the opening of Congress. A few days after the militia marched into Parkinson's Ferry a general seizure of suspected men was made. Some were dismissed for want of evidence. Some were bound over to appear for trial. Two were afterward found guilty of treason. These the President pardoned.*

* The authorities for the incidents of the Whiskey Insurrection are: History of the Insurrection in the four Western Counties of Pennsylvania, 1794. William Findley. Incidents of the Insurrection. H. H. Brackenridge. Report of the Secretary of the Treasury to the President of the United States relative to the inexecution of the Excise Law in certain Counties of Pennsylvania. Gallatin's Memoir on the Insurrection. The Insurrection of the Year 1794 in the Western Counties of Pennsylvania. Townsend Ward. Mem. Hist. Soc. of Pa., vol. vi

It is little to the credit of the men of that day that eighteen of the prisoners were sent to Philadelphia and marched about the streets with the word "Insurgents" on their hats. Accounts, too, have come down to us of shameful acts of cruelty done to the captives of "the dreadful night"; how they were pulled from their beds by the soldiers, cursed, beaten with scabbards, and dragged shoeless and half naked to damp cellars and barns; how they were driven like cattle through creeks when the water was waist high, and tied back to back at night like criminals or slaves. That many were so treated there is, unhappily, but too much reason to believe.

The insurrection now being over, twenty-five hundred troops under Morgan spent the winter in the district as a guard. The rest came back to towns and villages whence they had gone out to receive the welcome due to heroes. Bells were rung. Cannon were discharged. Dinners were given in their honor, and long lists of toasts were drunk. Yet it may well be doubted whether any one of the striplings, who, decked in his uniform, marched proudly down the village street, knew that he had borne a part in a really great event. The affair has been named an insurrection. It does not deserve to be called a riot. Its importance was of a very different kind. For the first time in the history of the Federal Government its authority had been defied and its officers forcibly withstood. The question had then been raised, What would the people do? Would the citizens of one State invade the soil of another State and, with arms in their hands, reduce rebellious citizens to obedience to Federal law? Or would they declare each State a sovereign and leave the general Government to arrange such troubles as best it could? The response to the President's call for troops had forever put such questions at rest.

Greatly pleased with the conduct of the people, Washington had hastened back to Philadelphia to give an account of the

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Mr. Ward adds to his paper Wilkins's Account of the Gathering at Braddock's Field, and Gallatin's Memoir. See, also, the American Daily Advertiser, the Pennsylvania Gazette. Proceedings of the New Jersey Historial Society, vol. vi. Life of A. J. Dallas. History of the Western Insurrection. H. M. Brackenridge. Proceedings of the Executive of the United States respecting the Insurgents, 1794.

affair to Congress. Monday, the third of November, was the day whereon the Houses should have met. But such were the delays of travel, and the tardiness of the members, that it was not till the arrival of Aaron Burr, on the morning of the eighteenth, that the Senate could muster a quorum. The next day the President came down to the House and delivered his address. He narrated the rise of the Whiskey Insurrection, told of the steps he had taken to suppress it, praised the conduct of the militia, and gently reproached "certain self-created societies" for their behavior. His reproaches for a while passed unnoticed, and the House had almost finished the draft of the reply when a motion to condemn the societies was brought in. No sooner was it before the House than William Giles, of Virginia, stood up to speak. He did not, he said, hope to make proselytes. But when he saw, or thought he saw, the House of Representatives assume the office of censor, he could not sit silent. What were these self-created societies the representatives were asked to condemn? How many men in the fifteen States could say they were not members of a self-created society? Under that term came every political, and every philosophical, and every religious society in the land. The Baptists and the Methodists, the Presbyterians and the people called the Friends, must then bear a share of the blame. It was clear that the President meant the Democratic Societies. But it would be much wiser to let the Democrats alone. Did the House suppose that a vote of censure would, like the wand of a magician, lay a spell upon these people? Censure would breed recrimination, and every one of them would rise to an importance greater than before.

The whole question, said another, turns upon a matter of fact, which ought to be proved. Have the Democratic Societies been one of the chief causes of the Western insurrection? This is a matter which depends on direct evidence. But how do gentlemen handle it? They go off into abstract propositions, a thing never heard of where a fact was to be proved. "I say where direct proof is wanted we see gentlemen standing on the floor for half an hour together, without attempting to advance a single fact in support of their assertions." Yet this is the only kind of evidence that these so-

cieties are hostile to the Federal Government. If, said a third, the President had not believed them to be harmful, he never would have said so. It was his duty, exclaimed a fourth, to speak as he has, and the present amendment will bring forth good. It will plunge them into contempt. It will make them detested and abhorred. They are "illicit combinations." Their conduct is as far from fair and honorable as Christ from Belial. They are men prowling in the dark. The member from Maryland gave an account of the Baltimore Society. The men who formed it were removed from any censure that could be cast by the mover of this amendment under debate. They were a band of patriots. Not the fair-weather patriots of the present day, but the patriots of '75. They were men who, in the darkest hour of the war, when the army seemed no better than a forlorn hope, had left home and friends and gone forth to rally around the standard of American Liberty. They were men who had driven from American soil the lawless disturbers of the world. And how had they acted in the late crisis? Did they not denounce the insurrection in the most pointed manner? Did they not refuse to correspond with any society that aided it? Nay, more, did they not leave their counters and their desks and go out and help to crush it? Are these the men to have congressional odium cast upon them? No! they deserve rather every mark of approbation the Federal Government can bestow.* It has been stated, as one of the worst traits of the Democratic Societies, that they began business after dinner, bolted their doors, and voted in the dark. This, Mr. Chairman, is very shocking. But, sir (and here the speaker pointed to the ceiling, alluding to the Senate, whose room was over that of the Representatives), is there no other place where men bolt their doors and vote in the dark? Is there not a branch of our Legislature which at this very moment is doing business in that way? Does it become us, then, to point at others? Why not let these societies speak out? The people do not look on them with a great deal of reverence, yet they like to hear them. What reason is there for all this alarm among the stockholders? Why, if a man favors Democratic Societies, must "the President be drawn across his

* Annals of Congress, November, 1794.

face"? If this business of denunciation once begins, who can tell where it will end?

That it might end speedily, the first amendment was withdrawn and a new one, almost in the language of the President's address, introduced. It was now moved to strike out the words "self-created societies" and put in "the Democratic Societies of Philadelphia, New York, and Pittsburg." When the vote was taken, forty-seven stood up in the affirmative. The nays were forty-five. The Committee of the Whole then rose, reported the amendment to the House, and the House threw it out. Next day the words "self-created societies" were restored to the answer, some more amendments made, and the entire clause voted down. In the address, when presented, the words did not appear. The self-created societies, nevertheless, began to defend themselves. That at Baltimore put forth an address to the people of the United States. That at Philadelphia spoke to the Patriotic Societies throughout the land. But it was to no purpose. Their power was gone. The downfall of Robespierre, the ruin of the Jacobin Club of Paris, the published dispatch of Monroe, the attacks of the Federal journals, and the pamphlets of Porcupine, were more than they could bear.

The true name of Peter Porcupine was William Cobbett, and he was, of all the pamphleteers at that time in America, the most able, the most sarcastic, the most entertaining and successful. His native country was England, where he first saw the light of day in a farm-house in the town of Farnham, Surrey. As he grew up, his business was to drive robins from the turnip-seeds and rooks from the peas. Then he went to clip box-edgings and weed beds of flowers in the Bishop of Winchester's garden, and at last set off to Kew Gardens, where a good-natured Scotchman gave him lodging and found him work. From Kew he went back to Farnham, and from Farnham wandered up to London. There he toiled as a copying clerk in a lawyer's office, till, one bright morning, he took the king's shilling and joined the fifty-fourth regiment of foot. For eight years he was a soldier. But in 1792 he came over to Philadelphia and began to teach Frenchmen to speak English, for he had himself spent six months in France. While en-

gaged in this work, Joseph Priestley landed at New York. On the fourteenth of January, 1791, an angry Birmingham mob had fired the Doctor's house and burned it, with all the books and apparatus it contained. Smarting under his wrongs, Priestley collected what property remained to him, and sought refuge in the United States. Had he come a few years earlier or a few years later, a dozen lines in the Daily Advertiser would, undoubtedly, have been thought all his arrival deserved. But he landed in 1794, when the insolence, the injustice, the high-handed outrages of British officials had driven the Republicans into all manner of foolish acts. That he was the greatest of all chemists then living; that he had won the Copley medal; had discovered oxygen gas, carbonic-oxide gas, nitrous-oxide gas, sulphurous-oxide gas, and had proved that the red color of arterial blood is due to the oxygen of the air, was to the Republicans of small moment. That he had answered Burke's "Reflections," and been maltreated by an English mob, was, however, of the greatest moment. It gave a new opportunity to express the fierce hatred they felt toward England, and they gladly seized it. They hailed him as a martyr, and overwhelmed him with attention. The Democratic Society addressed him.* The Tammany Society addressed him.† The Associated Teachers and the Republican natives of England and Ireland got up demonstrations in his behalf. As Cobbett read these addresses his indignation swelled high. He took up his pen and produced a pamphlet which he called "Observations on the Emigration of Doctor Joseph Priestley. By Peter Porcupine." The manuscript was carried to Mathew Carey, the chief bookseller at Philadelphia. But Carey would have nothing to do with it. Thomas Bradford saw it next, and agreed to print it for half the profits. They amounted to forty cents, of which Cobbett received twenty. Though he made little in money, he made much in reputation. The vigor of his style, the felicity of his nicknames, the fearlessness of his strictures, marked him out as the chief of pamphleteers. So able a writer was not to be despised, and it is likely the Federalists gave him much encouragement to go on. Half a dozen pamphlets now followed hard upon each other, and

* American Daily Advertiser, June 10, 1794. † Ibid., June 13, 1794.

called forth as many replies; for each was a fierce attack on the follies and inconsistencies of the Democrats.*

Glad as the Republicans were to see Priestley, there were other distinguished strangers whose arrival they beheld with dread. Since the April day when Washington stood forth to take the oath of office thousands of foreigners had come over the sea from Ireland, from St. Domingo, and from France. Some were from the humbler walks of life, and held those extreme notions of Democracy which were the horror of every Federalist in the land. Some had titles and ribbons, were familiar with courts and palaces, and had been the associates of princes and kings. These were the dread of the Republicans. Could the Republic, it was asked, be safe while counts and marquises, barons and lords, walked the streets of every great city, exercised the rights of American citizens, and upheld aristocracy by their presence and their votes? As the law stood, the proscribed and hunted aristocrats of Europe had but to find homes in America, live here two years, go into any court of record, show a good character, swear to support the Constitution, and become citizens of the United States. Did any true American wish to see a duke contesting an election with a battered soldier of the war, or go before a justice he was forced to call "My Lord"? It was indeed impossible to prevent such creatures coming to our shores. But they never should be naturalized till they had renounced their titles and become as others were. Toward the close of December the whole subject came up before the House. The bill under discussion was one to amend the naturalization act of 1790. Some talk was held about "good moral character," about the difficulty of poor men getting two witnesses, and about the baneful effect emigrants from the disordered and corrupt states of Europe would surely have on the purity and simplicity of the American character. But nothing of interest occurred till the first of January, 1795. On that day a resolution was offered, that if an alien applied

* The Federal view of the conduct of the Democrats is well set forth in a pamphlet called, Manlius; with Notes and References, 1794. Manlius appeared originally in the Columbian Centinel, September 3–17, 1794. The French Revolution was reviewed in a pamphlet: The Revolution in France, considered in respect to its Progress and Effects. By An American, 1794.

for citizenship and bore any title or order of nobility, he must renounce it before the court in which he applied. The opponents for a while were disposed to turn it into a jest. What, it was asked, was the use of such an amendment? It reminded him, one speaker said, of an old law which, within his memory, had been in force. When he was a boy, if a man shot himself, the neighbors, not content with his death in this world, damned him in the next, and then drove a stake through his body. Nobility was in much the same situation. It had committed suicide, and this amendment was the stake through its body. All over the country, just at present, it was the fashion to rave against nobility. Had this always been so? Had there not been a time within the memory of the House when the men who now cried out against nobles were glad to see them spending their money and their blood in the American cause? Some of these noblemen are in dungeons, some have had their heads chopped off. But some, let it be remembered, are now among us, broken in fortune, and living on the charity of friends. Their native land has cast them out. They have come to us, for whose liberty they fought and bled. Shall we say to such men, You cannot become a citizen, you cannot vote, you cannot run for office, you cannot practice a profession till you have gone into a court and renounced your titles and your stars? Suppose one of them did this thing, what was to hinder the next man who met him from saying, "My Lord, I wish you a good-morning"? Were Lafayette to make his home in America, would any man insult him by refusing to call him Marquis? This frivolous kind of legislation, this legislation against names and not against substance, was the disgrace of France. France, too, was a republic, and in the excess of republicanism had abolished the aristocratic names of her towns. Conde, and Dunkirk, and Toulon, and Havre de Grace, and Lyons, had been changed. One she had named Havre de Marat. In another she had put up a column to announce its ruin. Nay, she even pulled down houses where aristocrats had lived. What did all this amount to? Would any man in his senses say that liberty was more secure in France since a town had been called Havre de Marat? Would any man say that liberty was more secure in New York since

King street had been named Liberty? If the people wanted every vestige of nobility abolished, why wait for the arrival of dukes and barons? Why not begin at home? One member of the House had lately been at New Haven, and saw, upon the top of the State-House, the figure of a crown! It had been there since before the war. Again, at Middletown, the same member had entered a church, and there, upon the top of the organ, was the image of a crown. Was Connecticut safe while such symbols existed? Why not forbid the word Worshipful? Why not abolish the freemasons? Why not say no member shall enter the House with an aristocratic gold-laced cloak? Why not call on foreigners to renounce the Jacobin Club and the Pope? Did the danger lie in the titles or in the men? The National Convention had called the Duke of Orleans Égalité. But where was Égalité now? The amendment could have but one effect. Every man who opposed it would be branded as an aristocrat. Every man who supported it would be lauded as a Republican.

On the fifth day of the debate, with this purpose in view, a call for the ayes and nays was made. The anger of the Eastern members was extreme, and they, in turn, brought forward an amendment. It provided that, when an alien renounced his titles, he should also renounce his right to own slaves. They were determined, if the Southern members held them up as aristocrats, to hold up the Southern members as dealers in slaves. The motive for this, Mr. Sedgwick asserted, could be nothing else than to brand members as aristocrats. Had it not been said, over and over, that there was in the United States a party, not only of Aristocracy, but even of Monarchy? Was not the present most favorable for holding up these people to popular resentment? This might not be the wish of the gentleman who asked for the yeas and nays. But it would surely be the result. There, the people will cry out, there go the Eastern aristocrats! they wanted to bring in nobility here, when it can no longer exist in Europe. The amendment was opposed because it was frivolous. Madison denied that it was trifling. An abolition of titles was essential to a Republican revolution. The sons of the Cincinnati could not have inherited their honors, and yet the minds of

Americans were universally disgusted with the institution. And now Giles, of Virginia, who had called for the ayes and nays, rose to explain. The thought, he declared, of holding up members of the House to popular detestation had never come into his mind. He was misunderstood. The idea must have arisen in the brain of the member who stated it. But, since his call gave such uncommon uneasiness, he should give it up.

A member from North Carolina took the same view as Giles. He began calmly, but as he went on grew warm and excited. The amendment of the gentleman from Massachusetts did no credit to his candor or good sense. It was an attack on the Constitution, on State governments, nay, on the members of the House who sat for the southern States. Would the mover dare to come forward and say that slave-holders were unfit to hold office in a republic? Let the House recall the conduct of these men during the late war for independence. Let the House recall the behavior of their Representatives under the present Government and then say, if it could, that the members from the South did not show more Republican spirit than the members from the East. The amendment was the most monarchical and despotic thing he had seen for a long time. What right had the House to say to any class of men, You shall have this kind of property and not that? Was this the time for such language? The slaves all over the world were in a state of excitement. They had turned the West Indies into an immense scene of slaughter. Thousands of whites had been killed. Thousands more had fled for refuge to America. In the South at that very moment the planters could with difficulty keep their slaves in peace. Did the gentleman know what would happen if such a motion passed at such a time?

The best speech was made by Lee. The evils of noble orders did not come from their names, but from privileges. Three reasons had been given why noblemen could not become good Republicans. Their education was one. The superiority they held over their fellows was another. The servile court paid them was the third. Apply these to the relation of master and slave. Would it not prove that the people of the South were unfit to be Republicans? But this, every one knew, was

not the fact. They did own slaves, but their hearts were warm for the rights of man. The call for the ayes and nays was, he thought, ill-timed. It would spread an alarm that aristocracy was coming to ruin the land. It would hold up certain gentlemen who opposed it as aristocrats. It would spread jealousies, suspicions, unjust alarms. He was therefore against it. Though Mr. Giles withdrew his motion for a call, another member, with twenty-three to second him, renewed it. This was more than a third of the House, and the call was in order. Thereupon Mr. Dexter, who had withdrawn his amendment forbidding a slave-holder to be naturalized, renewed it, and in turn demanded the yeas and nays. On Mr. Dexter's amendment the yeas were twenty-eight and the nays sixty-three. On that of Mr. Giles the yeas were fifty-nine and the nays thirty-two.

When the President signed the bill, it provided that every alien who came into a court to be made a citizen must have lived five years in the country, must have declared his wish to be made a citizen three years before, must have spent one year in the State where he then was, must renounce allegiance to his former sovereign, and if he bore any title of nobility, must renounce that too.*

In the mean time Washington was deprived of the services of the only two men his cold heart ever really loved. Hamilton ceased to be Secretary of the Treasury.† Knox resigned the place of Secretary of War.‡ The Treasury was now bestowed on Oliver Wolcott.# Timothy Pickering was made Secretary of War.‖ These appointments confirmed, the gradual redemption of the public debt provided for,^ and the management of the Sinking Fund intrusted to a commission, the Houses adjourned. But the senators had scarcely reached their homes when they were summoned to meet again in June. The English treaty had come.

That instrument had been signed at London on the nineteenth of November, 1794, and the original and a duplicate sent by two different packets to the United States. But so slow

* Approved January 29, 1795.
† January 31, 1795.
‡ December 31, 1794.
# February 3, 1795.
‖ January 2, 1795.
^ Approved March 3, 1795.

were the ships in making port that Congress had risen and the members gone back to their counting-houses and their farms before the treaty arrived. At last, on the evening of the seventh of March, a copy was placed by Randolph in Washington's hands. A proclamation was then sent out for a special session of the Senate, and on the eighth of June twenty-four members were in their seats. The treaty was laid before them. But neither the treaty nor the debate was made public. This the Republicans at once declared was an insult to the people.

From the day whereon Jay sailed out of the harbor of New York, the Gallican party had openly declared the Minister could accomplish nothing. When they heard that he had been well received, he was accused of selling himself for British gold. When it was known that he had kissed the Queen's hand, a shout went up that he had "prostrated at the feet of majesty the sovereignty of the people," that "he richly deserved to have his lips blistered to the bone." * When it was reported that something was really being done, every Republican determined to oppose it. The thing must of necessity be bad. Was not Jay an aristocrat? Had he not already tried his hand at treaty-making and failed? If he were ready to rob the West of the use of the Mississippi that a treaty might be made with Spain, would he not give up yet greater things that a treaty might be made with England? Then the French party at Philadelphia prepared an effigy of the envoy and hid it in a barber-shop near the pillory. Thence, one morning in June, 1794, they took it out and, while the crowd shouted and cheered about them, placed it erect on the platform of the pillory. A rod of iron was in the right hand of the image. A copy of Swift's hated speech on British depredations was in the left. On one cover were the words "*Nemo repente fuit turpissimus*," words taken from the second satire of the great Roman poet. "*Non deficit alter*" was written on the other cover, for Virgil

* On this topic a writer exclaimed in ridicule: "Hear the voice of truth, hear and believe! John Jay, ah! the arch traitor—seize him, drown him, hang him, burn him, flay him alive! Men of America, he betrayed you with a kiss! As soon as he set foot on the soil of England he kissed the Queen's hand. He kissed the Queen's hand, and with that kiss betrayed away the rights of man and the liberty of America." Oracle of the Day, November 25, 1795. Also, New Jersey Advertiser.

also had been ransacked for a suitable verse. Hung from the neck by a hempen string was a copy of John Adams's "Defence of the Constitutions," and on this was scrawled the line of Ovid, "*Scribere jussit aurum.*" After standing some hours on the pillory, the effigy was taken down, guillotined, the clothes set on fire, and the body blown to fragments by the powder it contained.*

As soon as it leaked out that the treaty was actually in the strong-box of the Secretary of State, long papers began to appear denouncing it. First, in point of time, were the letters of "Franklin;" † letters so widely read and so much admired that three hundred subscribers to the Danbury Chronicle petitioned the printer to republish them in that sheet.

The treaty of amity and commerce with Great Britain, says the writer in one of them, has been before the Executive for upward of two months. Yet not a sentence of its contents has passed the Executive door. Did the treaty affect the administration and not the people, there might be some excuse for this monopoly. But it is to be the supreme law of the land. It affects the people as well as the administration. To keep it from the people, therefore, shows a contempt for their opinions. When Mr. Jay went out we were taught to expect an adjustment of our claims. But they have, it seems, been swallowed up in a treaty of amity and commerce. We were led to believe that our rights would be asserted with firmness. But at this very moment our flag is the sport of Britain, and our property is her prey. What was the upshot of the spirited demands of Denmark on the British Ministry? Thirty thousand pounds and a commerce free from restraint. What is the upshot of our policy? Robbery upon robbery, insult upon insult. One of the blessed results has just been seen in New York. There a newly imported John Bull has had the front to pull down a French flag the citizens put up in their coffee-house. What, then, may we expect when the treaty becomes the supreme law? ‡

The incident alluded to by "Franklin" happened toward the close of May. The flag, which had been down for some

* New York Journal, August 2, 1794.

† Independent Gazetteer, May, June, 1795. ‡ Franklin, Nos. xi., xii.

time, had just been replaced when an Englishman came to the Tontine to lodge. One night he, with a party of friends, sat late, and, when the last had gone, sent the servant from the room on an errand. When the servant came back the stranger had departed, and the French flag had been torn from its place on the wall. In the morning the whole city was in commotion. No stocks were sold in the exchange-room. The merchants neglected their business and left their goods upon the wharves in the rain. The Tontine and the streets were filled with excited men during the whole day. Some Frenchmen, thinking an English officer who lodged in the Tontine might have been concerned in the act, went to his room, took his army coat, brought it down stairs and pulled it to shreds in the coffee-room. The Republicans offered a reward of one hundred and fifty dollars for the capture of the thief. A whaling boat, manned by sixteen sailors, went in pursuit of a vessel on which he was believed to have sailed. But he was not on board.

The letters of Franklin were still being published when the Senate rose. The treaty had been ratified by a vote of twenty to ten. But the twelfth article seemed so objectionable that it had been suspended. It forbade American vessels carrying, either from English ports or from the United States, to Europe, any coffee, any cocoa, any sugar, any molasses, any cotton; for Jay does not seem to have known that thousands of bales of cotton were even then each year being shipped in the South. With this reservation and a recommendation of further friendly negotiation on the matter of impressment, the Senate, by a strict party vote, advised the President to sign. While still under discussion, two motions were made, one by Henry Tazewell and one by Aaron Burr. Mr. Burr proposed that all consideration of the treaty should be postponed, that the President should be urged to negotiate further, and that six articles should be amended and four others expunged. Mr. Tazewell moved that the President should be advised not to sign the treaty, and gave seven reasons why. Both motions were voted down. A motion to recommend the President to renew the claims of American citizens to compensation for negroes and other property carried away also

failed. It was now the twenty-fourth of June. On the twenty-sixth the Senate enjoined the members not to allow any copy of the treaty to be made public, and adjourned. For three days more the contents of the document were kept secret; but, on the twenty-ninth the substance of it was published in the Aurora. Some one had seen a copy, had written down all he could from memory, and had sent the paper to Benjamin Franklin Bache.* Among those who read the sketch in the Aurora was a man named Stevens Thomson Mason. He was a strong Republican, was one of the senators who sat for Virginia, had voted against ratification, had noticed a few inaccuracies in the Aurora's sketch, and determined that the people should no longer be left in doubt. He accordingly took his own copy and sent it to Bache, with a letter bidding the editor make such use of it as he saw fit. On the first of July Bache published the note and the treaty in pamphlet form.† The American Daily Advertiser printed it entire on the second.

The joy of the Republicans was intense. Praises of Mason sounded on every hand, and huge packages of the pamphlet wet from the press were sent off by expresses to every great town in the Union. By the morning of the second of July the riders had reached New York, and the citizens were informed that copies could be had at noon on the second.‡ Four days later they entered Boston, and on the seventh of the month the editor of the Chronicle notified the public that a copy was for sale at Larkins's book-store, in Cornhill street. On the eighth the Selectmen summoned the town to meet and consider the treaty. On the ninth the Independent Chronicle printed the first eight articles. On the tenth upward of fifteen hundred men crowded their way into Faneuil Hall. What they would there do was already well known. For two years their hatred of Great Britain had steadily grown

* This sketch was copied by the American Daily Advertiser, June 30, 1795.

† Aurora, July 1, 1795. The treaty was not published in the Aurora; only advertised therein. On the first of July it was noticed at New York that "several copies of the treaty were in town, and it was hoped that one would soon leak out." New York Journal, July 1, 1795.

‡ The treaty, with Mason's letter, appeared in the Daily Advertiser, July 3, 1795.

more and more intense. She had plundered their ships; she had impressed their seamen; she had, they believed, let loose the Algerines to prey upon their commerce, and incited the Indians to make war upon their frontier. The sight of an English face upon the street, the appearance of an English flag at a mast-head, was sure to be made the occasion of an insult of a marked kind. One day in June, 1795, a merchantman flying the English colors sailed past the Castle and made fast to the Long Wharf. She had come to trade. The name upon her stern was "The Betsy of St. Croix"; but the captain explained that it had been assumed to deceive the privateers cruising in numbers among the Bermuda Isles. Her true name was the Speedwell. Her cargo was made up of lignum vitæ, pineapples, and hides. Stress of weather had compelled her to seek a port; but the French Consul knew better. The Betsy was, he knew, a British privateer, and he at once complained to the Governor. Meanwhile his suspicions got abroad, and in a few hours handbills were being scattered through the streets.* They bade the people come and see a British privateer destroyed. When the crowd had gathered, the ship was boarded, the captain and crew ordered on shore, and every nook and corner of the hold searched. In a little while two swivel-guns and two three-pounders, forty charges of shot, fifteen pounds of powder, and eight muskets were on deck. The captain solemnly protested that the arms and powder were to protect the ship against the small gunboats of the Bermuda Isles. But the people believed him not, pronounced the ship a British privateer, threw the guns into the bay, chopped down the masts, dismantled the cabin, towed the hull into the harbor, and gave it to the flames. The wind and tide drove it on Charlestown beach, where it burned to the water's edge.

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* THIS NIGHT

Will be performed at the steps, bottom of Long Wharf, A COMEDY of stripping the

BERMUDIAN PRIVATEER.

CITIZENS: Remember there have been near three hundred of our American vessels taken by these Bermudians, and have received the most barbarous treatment from those Damn'd PIRATES!!!

Now, Americans, if you feel the spirit of resentment or revenge kindling in your breasts, let us be united in the cause.

The charred timbers were still visible at low tide, and the town still boasted of the deed, when the day for the meeting came. After a moderator had been chosen, and the purpose stated, one of the crowd made bold to question the right of the people to discuss the treaty. It would, he said, look like an attempt to "unsenatorize the Senate." But he was quickly silenced and told that his doctrine would "unpopularize the people." It was then moved to read the treaty; but this was overruled. There was no need of it. Everybody who cared to had done so already. When the question was put, "Do the citizens of this town approve of the treaty?" not a hand went up in the affirmative. When the noes were called for, fifteen hundred hands were displayed in the hall. A committee of fifteen was chosen to frame an address to Washington. They found twenty objections to the treaty, and these the town officers sent off by express to the President.

As the rider hastened westward he carried with him the news of the town-meeting. At Hartford it was reported that he had commands to go into the four western counties of Pennsylvania, and that the Democratic Societies were to supply the steeds. At New York the presses were stopped at midnight that the news might be inserted in the papers. In the morning the people read it with delight. Crowds stood upon the street-corners discussing it. Such promptness, such spirited resentment was, the Republicans declared, most praiseworthy; New York must do likewise. Not a moment must be lost; such was their haste that a call for a town-meeting appeared in the newspapers of Thursday, the sixteenth of July. All good citizens were summoned to be in front of Federal Hall at twelve o'clock on Saturday. On Friday handbills denouncing the treaty appeared. It was non-reciprocal; it gave up the right of search; it called for no indemnity for the injury done by holding the posts; it yielded advantages no American ought to yield but with his life; it settled principles dangerous to the lives and liberties of the people. The effect of the bills was immense. At the Tontine, at Brannon's Tea Gardens, at the Indian Queen, nothing was talked of during the whole day but the treaty, the meeting, and John Jay. In the evening some merchants gathered at the Tontine. With them

were Hamilton and Rufus King. When they parted the night was far spent; but they had, by that time, made plans for the morrow and had drawn up an address to the people. It came out in the newspapers of Saturday. They had, the merchants said, looked in vain for the hideous features ascribed to the treaty; they urged the people, therefore, to come to the meeting and discuss it in a calm way.

The time named was twelve o'clock, and, just as the last stroke was heard, Hamilton, who stood upon a stoop in Broad street, began to harangue the crowd. He did not know, he said, who called the meeting, for the call was not signed. But he got no further in his speech, for the crowd cried out, "Let us have a chairman! Let us have a chairman!" A few minutes later William Smith was named, elected, and sent to take his place on the balcony of Federal Hall. And now Peter Livingston attempted to speak; but Hamilton broke in. Each appealed to the chairman. The chairman appealed to the crowd. The crowd decided in favor of Livingston. Thereupon the shouting and hissing, the coughing and hooting, became deafening. When he could make himself heard he demanded a division. All who favored the treaty were to go to the left. All who opposed it to the right. A great crowd went off to the right. But more stood their ground. Thereupon Hamilton again addressed the chairman and urged a full and free discussion. Brockholst Livingston replied. The treaty had been long in the people's hands. They knew all about it. To discuss it was to waste time, and time was precious. The President might ratify the iniquitous instrument at any moment. The decision of the meeting must be made quickly. Nor was the street a fit place for debate. But if any wished so to do, and would go to a church, some one would be present to refute Mr. Hamilton. At this point, those who had gone to the right came back, and, finding the meeting in disorder, went off to the Battery, formed a ring, and burned copies of the treaty. This done they returned with some French flags and a number of sailors from the French ships, stoned Hamilton, and threw the meeting into yet greater confusion. This was too much, and Hamilton, with the blood streaming down his face, called upon the friends to

order to follow him, and left. Brockholst Livingston then moved a committee of fifteen to make ready a set of resolutions condemning the treaty. The chairman attempted to put the motion. But some one who stood beside Livingston read a list of names, called for a vote, and declared them chosen. The crowd then separated.*

While these things were happening on Wall street, a band of old soldiers marched about the town. They bore with them a rude portrait of Jay, and carried the colors of France and America with the British flag reversed beneath. Where is now Grand street and the Bowery were then green fields, and a great mound of sand which the townsmen had named Bunker Hill. On the summit, long after cut down to fill the Collect Pond, was a fine grove of cedars, and the ruins of a star fort thrown up in days before the war. There the Republicans burned their picture, cheered, and dispersed.

The adjourned meeting took place on the twentieth, by which time the committee had prepared twenty-eight long reasons why the work of Mr. Jay was bad. The vague claims of Great Britain were placed on the same footing with the well-defined and just demands of America. After illegally holding the posts for twelve years, it was wrong to give England eighteen months more to withdraw her troops. No posts were named, but, in a general way, merely those along the boundary-line mentioned. Part of this boundary was in dispute, and might be made the pretext for retaining some of the forts yet longer. Provisions for extending the rights of citizenship to British subjects in the districts to be given up were so loose that a man who came into one of them the day before evacuation might become an American citizen the day after. There was to be no compensation for keeping the forts or carrying away the negroes. Nothing was said about impressment. Mr. Jefferson had declared British subjects were not debarred from collecting anti-revolutionary debts in the usual way. Yet a special commission was provided to audit them. India commerce was restricted. Great Britain was free to use all the rivers, ports, and harbors of the United States. Americans were shut out from those of British America. No duty was

* Herald, July 22, 1795.

to be laid in either country on peltry brought by land or inland waters. This was all on one side: for Americans carried very little fur through the British possessions, but the subjects of King George carried much through the States. The restriction that citizens could not accept commissions in the army or navy of a foreign power hindered the acquisition of military knowledge. The treaty, from beginning to end, was peculiarly hostile to France.

To insult John Jay and the British flag now became a favorite sport with the Republicans. They began it on the fourth of July. The day was then kept with far more spirit than at present. The fireworks were not so fine, and the military display was less imposing. But the anniversary of the Declaration of American Independence never failed to arouse in the men of that generation feelings which the men of our time cannot know. If a town were so fortunate as to have some relic of the late war, a beacon, or an earthwork, with a couple of rusting cannon, the townsmen and the few militiamen were sure to assemble there, fire a salute, make speeches, and go back to a public dinner. If the town had no such treasure, it at least had a tavern. There, on the fourth of each July, the men of note were sure to meet, sing songs, drink fifteen toasts, and, when these were finished, respond to a number of "volunteers." In 1795, the men who responded to the volunteers generally drank destruction to the treaty and made puns on the name of the late Chief Justice Jay. The sentiment at one gathering was, "A perpetual harvest to America; but clip't wings, lame legs, the pip, and an empty crop to all Jays." * At another it was hoped that "the cage constructed to coop up the American Eagle" might prove a trap for none but Kingbirds and Jays.† Some soldiers at Wilmington drank with cheers to the wish that Jay and his treaty might "be forever politically damned." ‡ At a fourth meeting some one proposed "The late envoy extraordinary to the King of Britain: May his next treaty be that of entreating his countrymen to

* Philadelphia County Brigade at Frankford Creek. Aurora, July 7, 1795.

† The Light Infantry and the Legion at New York. Aurora, July 10, 1795.

‡ Independent Gazetteer, July 11, 1795. Aurora, July 13, 1795. Boston Gazette, July 27, 1795.

pardon his many backslidings." * The Cincinnati at New-Castle on the Delaware expressed the hope that John Jay might enjoy all the pleasures of purgatory.† Ten days later, when the Frenchmen celebrated the anniversary of their Republic, a toast was, "The Republic of America: May she never mistake Jay-birds for Eagles." ‡ Mason was very differently treated. He was the honest senator, he was the manly patriot, he deserved the plaudits of every true friend of liberty. He was the hater of dark ways; he was the model representative; he was the man who had revealed upon the house-top what had been spoken in the closet.#

While the half-tipsy revellers were still cheering their toasts, some painters and limners at Kensington were busy preparing a rude transparency of Jay. The ship-carpenters at that town had engaged them, and, when night came, bore the painting through the chief streets of Philadelphia. ‖ In the foreground was a life-size figure of Jay. In his right hand was a pair of balances, with American Liberty and Independence in the higher pan and British gold in the lower. With his left he offered a copy of the treaty to a group of senators who stood about him, exclaiming, as he did so: "Come up to my price and I will sell you my country." Late in the evening the figures were burned at Kensington amidst the shouts of the crowd.^ Some light-horse attempted to scatter them; but the shipwrights drove off the troops with a volley of stones. The next day a board inscribed "Morell's Defeat" marked the spot,◊ and a sword he dropped in his flight was advertised and then contemptuously sold for four cents. ↕ As the news of the affair spread it was greatly exaggerated by one party and much disparaged by the other. The Republicans were careful to mention that while the procession was on the march Mifflin had sent a great body of militia to disperse it, and that the people had beaten the hirelings and put them to flight. ↕ The Federalists maintained that the affair was of no moment.

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* Aurora, July 16, 1795.
† New York Journal, July 15, 1795.
‡ Courrier Français, July 15, 1795. Aurora, July 17, 1795.
# See the Aurora, July 7, 10, 1795.
‖ New York Journal, July 8, 11, 1795.
^ Aurora, July 9, 1795.
◊ New York Journal, July 15, 1795.
↕ Ibid., July 22, 1795.
↕ Gazette of the United States, July 17, 1795.

Some drunken, ill-minded persons had met in the dead of night, when every sober citizen was long abed, had crept in silence through the back streets, and, overcome with shame, had burned what they called an effigy far beyond the limits of the town.* At New York the Frenchmen begged the citizens to take away the tricolor from the Tontine. Since the treaty had been made, the French flag had, they said, no business in the room.†

One evening in July the people at Savannah met before the State-House, put an effigy of Jay and one of their senators, Gunn, in a wagon, drew them through the streets and along the bay, and at last burned them on the gallows that stood upon the old South Common.‡ At Charleston the multitude were more violent still. The city was full of Frenchmen and Englishmen. Half the ships that came to the wharf sailed under the British flag. Half the import and export business of the State was done by English factors at Charleston. Since the massacre at St. Domingo, whole streets had become inhabited by none but Frenchmen. The French tongue was as much spoken as the English, and the people were divided in their sympathies between the two nations. But the greater part were on the side of the French, called each other Citizen, exchanged the fraternal hug, wore the cockade, and joined the Society of the Sans Culottes, or the Society of French Republicans. The moment the treaty arrived, the city was, therefore, in commotion. The ships in the harbor, the taverns, the public buildings, almost every house that had a pole, ran up the American flag to half-mast.# At night the hangman burned a bundle of copies of the treaty near the Old Market in Broad street.‖ A week later the Frenchmen celebrated the fourteenth of July, a day

* Gazette of the United States, July 7, 1795.

† "Avis pour le Gazette Américaine—Les Bons Français qui sont à New York, ayant pris connaissance du traité passé avec les Anglais, prient MM. les Américaines de cette ville d'ôter le pavillon tri-colore qui est au café, le trouvent dans cette circonstance déplacé." Argus, July 4, 1795. Aurora, July 7, 1795.

‡ See a Letter from Savannah, July 25, 1795, in American Daily Advertiser, August 12, 1795; also, Federal Intelligencer and Baltimore Gazette, August 14, 1795.

Wilmington Chronicle, North Carolina Weekly Advertiser, July 31, 1795.

‖ Aurora, July 29, 1795.

which was to them what the fourth of July is to Americans. Numbers of the citizens took part, and before the festivity was over dragged the British flag through the filth of the streets and burned it in front of the British Consul's door.* On the seventeenth of the month the town met in St. Michael Church to condemn the treaty and address the President. One unhappy man ventured to praise it. But the mob seized him, dragged him to a pump, and ducked him till life was almost extinct. Nor was the behavior of the Republicans at Philadelphia any better. As the news of meeting after meeting came into the city, the leaders of the party made up their minds that Philadelphia should delay no longer. A handbill, therefore, was quickly written and scattered through the streets.† In that bombastic language so pleasing to orators of the time, it bade all who read it come without fail to the State-House yard on the afternoon of Thursday, July the twenty-third. The momentous question then and there to be discussed is, said the handbill, "Are the People the Legitimate Fountain of Government? There is creeping into your Constitution an insidious serpent whose venom, once infused, will exterminate every spark of gratitude and national faith. Attend! Your rights are invaded. France is our avowed friend, and, in the hour of adversity, was our vigorous and undaunted advocate. Great Britain is the universal foe of liberty, and you, from your regeneration to the present moment, have been the guiltless victims of her infernal malice."

The meeting was held, the treaty denounced, fifteen citizens appointed to frame a memorial to the Executive, and an

* Extract from A Letter from a Gentleman in Charleston, dated July 18, 1795. Aurora, July 30, 1795.

† TOWN-MEETING.—TREATY.

Citizens! assemble at the State-House on Thursday afternoon, the 23d instant, at 5 o'clock, then and there to discuss the Momentous Question, viz.: Are the People the Legitimate Fountain of Government? There is creeping into your Constitution an insidious Serpent, whose venom, once infused, will exterminate every remaining Spark of Gratitude and National Faith! Attend! your rights are invaded! France is our avowed Friend, and in the hour of Adversity was our vigorous and undaunted Advocate. *Great Britain* is the universal Foe of *Liberty;* and you, from your Regeneration to the present moment, have been the guiltless victims of her Infernal malice.

adjournment taken till the afternoon of Saturday. The report was then read, paragraph by paragraph, and the voting done by a show of hands; but no more than two were at any time raised in the negative, though six thousand men were said to be in the yard. The reasons given for disliking the treaty were almost identically those assigned at New York, and, when they reached the President, bore the signatures of four hundred and thirteen Republicans. Now there was present in the yard an Irishman who, like Priestley, the Republicans delighted to honor as a firm friend to the Rights of Man. The business of the meeting being finished, and the people about to disperse, a man well known to all present stood up and moved a welcome to Citizen Archibald Hamilton Rowan. Encouraged by the shouts which followed the mention of that name, the speaker could scarce wait till quiet was restored. Then waving a pamphlet above his head, he cried out: "What a damned treaty! I make a motion that every good citizen in this assembly kick this damned treaty to hell." * His advice, as far as possible, was taken. Some made haste to burn copies of the treaty before the houses of the Minister and the Consul of Great Britain. Others drank so many bumpers to the ruin of the treaty and of Jay that they lost their wits, broke windows, quarrelled, and insulted Mr. Bingham, one of the Pennsylvania senators.†

During the whole month resolutions and addresses had been pouring in upon Washington from every great city and town in the Union, and from hamlets and villages whose names he had never even heard. They came from Portsmouth, ‡ from

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* A Little Plain English, etc. Peter Porcupine.

"At Philadelphia, Blair the great,
The Irish guardian of the State,
Rais'd his hard foot to give the blow,
And cry'd, 'To hell this child must go.'"

The Guillotina, or a Democratic Dirge, p. 9.

"Blair the great" was Blair M'Clenarchan.

† Gazette of the United States, July 27, 1795.

‡ The handbill calling the meeting was in these words:

ÇA IRA.

To the Citizens of Portsmouth.

The Crisis.

This (Citizens of every description) is the *Crisis of your Fate.* TO-MORROW

Boston, from Plymouth, from Philadelphia and New York, from Baltimore and Richmond, from Petersburg, from Charleston and Savannah, from Wilmington in Delaware, from Flemington in New Jersey, from York in Pennsylvania, from Powhatan in Virginia, and from the justices of the county and the aldermen of the borough of Norfolk. Bordentown and Crosswicks, Blackhorse and Reckless Town, all in New Jersey, sent in papers urging the President not to sign. The men of Morris county and of Trenton did the same; but Trenton was strongly Federal. A second paper, therefore, soon followed, bearing the signatures of seventy men, and protesting that the sentiments of the first paper were in no sense the sentiment of the town. The Chamber of Commerce at New York also declared for the treaty; the Chamber of Commerce at Boston did the same.

To all these addresses Washington made the same reply. It was his custom, he stated, when passing public measures, to put away all personal, local, and partial considerations; to think of the United States as one great whole; to trust that sudden impressions, if wrong, would be changed on calm reflection, and to consider only the real and lasting good of the country. It would have been well had his countrymen done the same. Their conduct, unhappily, was very different. Every man who could read the treaty, who had more time than business, and who could with ease put down his thoughts in writing, made haste to uphold that side of the discussion which best suited his own interests or the interests of the society of which he was a member. The newspapers were filled with the effu-

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you are warned to Assemble at the State-House, on the most momentous occasion of your lives. *Your all is at Stake.* The Senate have bargained away your *Blood-Bought* privileges for less than a Mess of Pottage. The perfidious, corrupting, and corrupted Nation, whom you vanquished with your swords, are now endeavoring to vanquish *you* with their usual, but, alas! too successful weapon, *British Gold!!* Your only remaining hope is in the PRESIDENT! *Assemble*, then, to a *Man!* Shut up your shops and warehouses; let all business cease; Repair to the State-House; Remonstrate with coolness, but spirit, against his signing the Treaty which will be the *Death Warrant* of your *Trade*, & entail *beggary on us and our posterity forever!!* If you regard yourselves, your children, and, above all, the honor of your *Country*, *Assemble* at the sound of the Bells.

Portsmouth, July 15, 1795.

sions of "Americus" and "Atticus," "Friends to Order," "Old Soldier," and "Stanch Whig."

One writer remarked that the citizens of America were very much obliged to Mr. Mason for giving them a copy of the treaty. When a Government abounded in secrets something was rotten. It was pleasing, also, to know that the Senate had recommended more friendly negotiation of the same kind with England. Probably Mr. Jay would resign his office and be ready for a second voyage to London. The display he had made of political and commercial talent must highly recommend him. Besides, the royal George would squeeze him by the hand, and the cunning Charlotte vouchsafe a gracious smile, and the maids of honor be strangely delighted; for they had all found much pleasure in the Quixotic visage of the American plenipo.* Another declared that a man who could find anything good in the treaty "must be blind with a witness." † A third maintained that the telescope of Herschel would be needed to pick out the merits of the treaty, they were so distant and obscure. ‡ "Ça Ira" told how, when a boy, he used to catch jays with corn and a board sized with hair; but modern Jays were not to be caught in this old-fashioned way. For a board a treaty was used, and for corn British gold.# A New Hampshire newspaper asserted that prayers were ordered in all the churches of the State for the recovery of Independence, who was suffering under threatening symptoms of decay. ‖ A Virginia paper gave a long account of her death.△ The devil, said another, in the form of a snake, seduced our first parents and ruined the world. The same evil genius, in the form of an American Jay, has seduced our Senate and ruined a nation.◊ At Boston the Republicans supplanted ombre and quadrille with a game called Revolution. The king they named Capet, the queen was Strumpet, and the ace La Guillotine. ‡ At New York an angry Republican made

* Maryland Journal, July 7, 1795. † Boston Gazette, July 27, 1795.

‡ Independent Gazetteer, August 1, 1795. # Aurora, July 21, 1795.

‖ Ibid., July 20, 1795.

△ Virginia Gazette. Aurora, July 23, 1795. ◊ Boston Gazette, July 27, 1795.

‡ "On the twenty-fourth of June last," wrote another, "of a hectic complaint, which she bore with Christian fortitude, died Mrs. Liberty, late consort of America." Independent Gazetteer, July 4, 1795.

some comments on the President's reply to the New York Chamber of Commerce. He had expressed pleasure that the mercantile community approved his conduct. This, it was said, was truly admirable. It contrasted finely with his answer to the merchants and traders of Philadelphia and New York. Did the common people mean to put themselves on a par with the merchants and traders? Were five thousand of the mass to weigh against four hundred stockholders? Did five thousand understand the interest of the country as well as four hundred? Let the swinish creatures not approach the presidential sanctuary with their gruntings. Was he to be pestered with their opinions and have his nerves unstrung by their advice? Was he not sovereign, infallible, immaculate, omniscient? Hardened and presumptuous wretches, they did not deserve so good a monarch.* Nor was language such as this used only by the unknown writers for the press. It might have been heard from the lips of many of the orators who at every treaty-meeting abused the Senate, the President, and John Jay.

The King of Great Britain, said one, and his speech, may be taken as a sample of the oratory of the day. The King of Great Britain, who had sworn eternal enmity to republics, joined the combination to stifle the liberty of France. "Under the obnoxious pretext of starving thirty millions of men, he issued orders for intercepting the correspondence and plundering the commerce of neutral nations. The destruction of our rising commerce and the annihilation of our growing navigation was his object. A patriotic phalanx in Congress urged every expedient to defeat him wisdom could suggest; but the President gently insinuated that this was out of the province of Congress. He then named the Chief Justice to perform the task of declaring the indignation and demanding the rights of an injured people. If stern aristocracy had not steeled his bosom against the generous sentiments of patriotism; if gratitude, sensibility, and honor had not been enveloped in the sable gloom of political prejudice, he must have been animated by a magnanimity worthy of his country. In the presence of venal pride and courtly profligacy, even at the footstool of the throne, he would have preserved the attitude of dignity and spoken

* New York Journal, September 2, 1795.

the language of truth. He basely apostatized from his Republican principles; he stooped to offer incense and flattery to a tyrant, the scourge of his country, the foe of mankind. After a long negotiation he presented the treaty. This has been sanctioned by the Senate. That body has never deigned to adopt the sentiments of the people. The majesty of that assembly has never been polluted by the vile feet of the swinish multitude. The existence of an aristocracy in this country has too often been regarded as the chimera of some distempered enthusiast, or the fiction of some dangerous demagogue. Has not the funding system organized a great aristocracy? Has it not usurped the Senate? Has it not ruled the House of Representatives? Has it not shown itself in servile addresses to the Executive, in dangerous appointments, in monstrous accumulations of debt, in violations of the Constitution, in the proscription of Democrats, in the ratification of this treaty?" * When he had finished speaking, his hearers resolved that Congress and not the President had the right to regulate commerce, to punish piracies, to declare war, and that, therefore, some ten of the twenty-eight articles of the treaty were unconstitutional.† At another town-meeting, held a few days before, it was resolved that the treaty was insulting to the dignity, injurious to the interests, dangerous to the security, and repugnant to the Constitution of the United States. ‡ The sailors and shippers of Portsmouth in their anger made effigies of Grenville and Jay and burned them, with a miniature ship of seventy tons, on one of the wharves.# From Savannah came the news that a judge of the Supreme Court had, in a charge to a jury, called the treaty "a pernicious instrument." ‖ A Burke county grand jury put down in their list of grievances that the President and Senate held the treaty-making power of the land.△

To write in this wise became the fashion. Any man, the

* Speech of J. Thompson at Petersburg, Virginia, August 1, 1795.

† Resolutions of the citizens of Petersburg, Virginia.

‡ Resolutions of the citizens of Richmond, Virginia, July 29, 1795.

Boston Gazette, September 14, 1795.

‖ City Gazette and Daily Advertiser, Charleston, South Carolina, September 5, 1795.

△ Southern Centinel and Gazette of the State, October 1, 1795.

grumbler would declare, who was not an aristocrat, well knew that the treaty was useless. It was a base, unnatural political connection between a republic and a monarchy.* They were asked, if monarchical treaties were so hateful to them, why they did not hate that with France. That also had been made with a monarchy.† But they gave the question no heed. The treaty was, in their opinion, unnecessary, impolitic, dangerous, and dishonorable. It was unnecessary because it was an artificial means to procure a national end. It was impolitic because England was famed for perfidy and double dealing, and because it might lead to a war with France. It was dangerous because it was forming a connection with a monarchy; and the introduction of the fashions, forms, and precedents of kingly government had ever been ruinous to republics. It was dishonorable because George was a tyrant, and had waged a bitter war against the States. But suppose that a treaty with Great Britain was in accordance with sound policy. Could any rational man say the present one was not harmful? Could he think of the concessions made and say it was not humiliating? Could he think of the injuries unatoned, the demands unsatisfied, and say it was not disgraceful?‡ Was anything to be done to hinder British officers dragging American seamen from the decks of American ships? No! Were any damages to be paid for holding the frontier posts for twelve years? No! Any for the blood and treasure lavished on Indian wars incited by the British? No! Any for the hosts of innocent women and children sacrificed to the tomahawk and the gun? No!# The behavior of the President had been highly improper. It had been highly monarchical. He deserved to be impeached. He ought to be impeached for sending John Jay to London; for his reserve toward the Senate; for his reserve toward the people; for evading a new treaty with France. It is much to be lamented that the Secretary of State was not as reserved as his master in his dealings with France and her Minister to the United States.

On the day whereon Washington sent his reply to the Bos-

* Boston Gazette, July 27, 1795.

† Independent Gazetteer, August 14, 1795. ‡ See Letters of Franklin.

Speech of Cæsar Augustus Rodney at Wilmington, Delaware, August 4, 1795.

ton address a letter was brought to the Secretary of the Treasury. It was in French. The signature was that of Fauchet, who, after the recall of Genet, represented France in the United States. Nine months before, while the troops were marching to put down the Whiskey Insurrection in the West, Fauchet sat down and prepared an account of the troubles for his government at Paris. The corvette Jean Bart took out the dispatch and captured, on her way, a British merchant-ship. But scarce was she come into the British Channel when she was herself brought to by an English man-of-war. Seeing that his flag must soon be struck, the captain of the Jean Bart rushed to the cabin, brought out the dispatches, and hurled them, with the letter of Fauchet, into the sea. The next moment a British tar leaped over the side of the ship. He was the captain of the English merchantman, and, when the boats from the frigate picked him up, the French dispatches were in his hand. Thence the letter went to Lord Grenville who sent it to the English Minister, who, in turn, gave it, on the twenty-eighth of July, to Oliver Wolcott, Junior.* Wolcott then held the high place of Secretary of the Treasury.

No sooner had he received it than he hastened with it to Pickering, who had now become Secretary of War. The two consulted the Attorney-General. Finding that he agreed with them, they waited on Randolph and urged him to beg the President to come back to Philadelphia without delay. The Secretary wrote the letter as they sat with him. But such was their anxiety that a note from Pickering went out by the next mail. On the subject of the treaty he felt extreme solicitude. He had a special reason for feeling so. But he could not give it save to the President in person. He entreated Washington, therefore, to hasten to the seat of Government with all convenient speed. Warm as was the weather, the President at once complied, and, on the eleventh of August, travel-stained and weary, rode into the city. A few hours later the letter of Fauchet was before him.

It bore the number 10, was dated the "10th Brumaire," and claimed to give "a clew to all the measures," of which the

* See A New-Year's Gift to the Democrats. Peter Porcupine, Philadelphia, 1796.

common dispatches of the Minister only made mention. For this clew he was much beholden to the "precious confessions of Mr. Randolph." They alone threw light on everything that had come to pass. To limit the explosion in the West to a simple question of excise was a mistake. It was closely bound up with a general explosion long prepared in the public mind, and now perhaps checked forever. It went back to the very beginning of the Government. That the present system of government should produce malcontents was natural. Such was the lot of all new things, and, had it not been for a shameful system of finance, these primitive differences would assuredly have quickly passed away. Unhappily, the funding of the debt, the organizing of the national credit, had created a financiering class who bid fair to become the aristocratic order in the State. Enraged at the sound of the words treasurer and stock-jobber, the people had revolted, had formed political societies, and had united in a great political party. The imbecility and abasement of the Government toward Great Britain, the perpetuating of the national debt, the defenceless state of the country, the coldness toward France, and an immoral and foolish tax, had given the party power. It was this tax that touched the people of the West. It was their final grievance, and, Republicans by principle, independent by character and situation, they were resolved to be patient no longer. This decrepit state of things could not but end in revolution or a civil war. The revolution was preparing. The Government knew this, and demanded troops to put it in a state of defence. Troops were refused. The Government then hastened the local insurrection that it might allay the far more terrible storm which it saw was fast gathering. This he inferred from what Mr. Randolph had said.*

* "Thus the Secretary of State appeared to open himself without reserve. He imparted to me intestine divisions which were rumbling in the United States. The idea of an approaching commotion affected him deeply. He hoped to prevent it by the ascendency which he daily acquired over the mind of the President, who consulted him in all affairs, and to whom he told the truth, which his colleagues disguised from him. The President of the United States, says he, is the mortal enemy of England and the friend of France. . . . He has—but it is impossible for me in conscience to make to you this confession. I should betray the duties of my office. Everything which I can say to you is, that it is important for our two

Be this as it might, the insurrection broke out, an army was raised, and some of the patriots began to hesitate and chose sides. The greatest of doubters was Mifflin. Dallas, who stood high with the Republican Society, was another. Mr. Randolph made a third. Two or three days before the proclamation was issued the Secretary of State had come in haste to M. Fauchet's house. "All his countenance," wrote the Frenchman, "was grief. He requested of me a private conversation. It is all over, he said to me; a civil war is about to ravage our unhappy country. Four men, by their talents, their influence, their energy, may save it. But, debtors of English merchants, they will be deprived of their liberty if they take the smallest step. Can you lend them instantly funds sufficient to shelter them from English persecution?" * "Thus with some thousands of dollars the Republic could have decided on civil war or peace. Thus the consciences of the pretended patriots of America already have their prices." This was due to Hamilton. He had made of the whole nation a stock-jobbing, speculating, selfish people. There were a few real patriots left. Monroe was one, Madison was another, Jefferson was a third. The letter closed with an account of how, when it was known "that the French Republic purchased no man to do his duty," Republican men and Republican societies came out boldly in support of the Treasurer and his excise scheme.

For a week Washington kept the letter and did nothing. But on Wednesday, the nineteenth of July, as Randolph was on his way to the President's house, the steward came to him. The usual hour for the daily visit was nine in the morning. The President now requested the Secretary not to come till half-past ten. The request seemed a natural one. Washington might wish to ride out. He might be writing letters for the Southern mail. The Secretary waited, therefore, till half-past ten, when, mounting the steps, he bade the servant tell the

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nations that you continue to visit him frequently. . . . Let us unite, M. Fauchet, to draw our two nations closer together." Fauchet's Dispatch No. 3.

* Fauchet's Dispatch No. 6. This famous letter was soon published at Philadelphia in a pamphlet called: A Translation of Citizen Fauchet's Intercepted Letter No. 10; to which are added Extracts of Nos. 3 and 6.

President he had come. The servant assured him that Mr. Pickering and Mr. Wolcott had been with the President some time. Thinking a cabinet meeting was in progress, and that the steward had misstated the hour, Randolph hastened upstairs unannounced. As he entered the room Washington rose and received him with that cold formality which the libellers of his day declared was a sure mark of an aristocratic mind. Wolcott and Pickering rose also. When all were again seated and a few words had passed, Washington, taking a letter from his pocket, said: "Mr. Randolph, here is a letter which I wish you to read, and make such explanations as you choose." The Secretary took the paper, found it to be the dispatch of M. Fauchet, read it, made a few running comments, and said he would "throw his ideas on paper." Washington now turned to Wolcott and Pickering and bade them put questions to Randolph. This, the Secretary declares, he would not have suffered. But, most happily, Pickering had none to ask. Wolcott asked but one. This Randolph had no objection to answer. Washington was here called away to receive a copy of an address the merchants were going to present to him the following day. When he came back he asked Randolph to step into a neighboring room. Three quarters of an hour went by. The Secretary was then requested to put what he had to say in writing. That day Randolph resigned.

Overcome with indignation, he hurried off to find Fauchet.* That minister had been succeeded by M. Adet, and, loaded with papers and dispatches, was about to return to France. He had, in fact, already set sail in the sloop Peggy for Newport, where the French man-of-war Medusa was waiting to carry him over the sea. But storms and winds detained the Peggy in the Sound, and forced her into Stonington. Thence Fauchet went on by land. It was well for him that he did. For, on the morning of the first of August, when the Peggy, with all sails spread, was off the Narragansett Light, a cannon-shot went screaming across her bow. It came from the British war-ship Africa, that lay in wait for the Medusa off Narragansett Bay. Two boats now rowed off from the Africa, and an officer bade

* See for these facts a pamphlet entitled: A Vindication of Mr. Randolph's Resignation. Philadelphia, 1795.

the captain of the Peggy drop astern the ship-of-war. This was done. The officers came on board. They were, they said, in search of Fauchet. The captain assured them Fauchet was not on board, told them he had taken his papers with him, and showed the five pasteboard boxes the papers had once been in. But the officers were not content, searched the trunks in the cabin, went down into the hold, commanded Fauchet's servant to open his master's trunks, threw the clothing over the floor, and departed with some papers they happened to find. After two hours they brought back the documents, and told the captain of the Peggy he might sail on.*

Meanwhile Randolph was hastening toward Newport. He left Philadelphia on the twenty-first of July. But it was not till the thirty-first of August that he drew up at the Newport tavern. Thence he went at once to the lodgings of Fauchet, told him what had happened, asked for copies of dispatches No. 3 and No. 6, and for such explanations of the language of letter No. 10 as he could make. The Frenchman promised all these things by eight the next morning. But, when Randolph called at the time named, word was sent him that the papers would be ready at noon. As he waited impatiently for the hour, he heard that the Medusa had slipped her cables and put to sea. It was indeed true. A heavy fog had settled on the bay, the Africa had come inside, and the Medusa had taken the lucky moment to make her escape. Randolph in great alarm ran to the lodgings of Fauchet. The late Minister had gone. The swiftest sailing-vessel to be had at Newport was sent after the Medusa. But the war-ship, with all her canvas spread, was far from land. She was overtaken, however, and when the pilot returned he bore with him a letter to Randolph. M. Adet would send the papers. In time they came, and, with them, the late Secretary of State constructed his "Vindication."

The very day that Washington showed to Randolph the captured dispatch of Fauchet, a West Indian merchantman made fast to one of the wharves at New York. Her name was

* See the sworn statements of T. W. Bliss, L. A. Pichon, S. A. Hoffer, and Captain Chabert, August 2, 1795. See, also, Providence Gazette, August 8, 1795. Boston Gazette, August 10, 1795.

the Zephyr. Her cargo consisted of coffee, sugar, and hides. But, before many days had gone by, she became both the talk and the dread of the town.

In the years that had passed since Guy Carleton withdrew from the city, New York had become a new place.* Never before had the number of inhabitants been so great, or the buildings so many and fine. The districts laid waste by two fires were fast being covered with houses, which, travellers noted with pleasure, were no longer built in the Dutch style.† Improvement, indeed, had become the fashion of the day. The streets were better paved, better lighted, than ever before. Hackney coaches had been introduced. New wharves had been built, and sixty acres added to the area of the island by carrying the water-fronts four hundred feet out in the river. In truth, the whole appearance of the Battery had been changed. A broad walk ran close to the edge of the water, and beside it on a terrace were thirteen cannon commanding the approach from the bay. Back of these were two rows of young elms, and a structure the people had called "the Churn."‡ Fort George had been levelled, and on the site a maze of walks laid out and a house for the Governor put up. Before it, in the centre of an elliptical patch of grass, was the crumbling pedestal whereon the statue of George had once stood. The merchants, too, had left their old Exchange at the foot of Broad street for the more spacious quarters in the Tontine. The building has been described as elegant and commodious, and in its coffee-room, from eleven till two, each week-day, the merchants and brokers were gathered. There politics were discussed, scrip and stock bought and sold, and

* A good description of New York city at that time is given in Letters written during a Tour through the Northern and Eastern States of America. By John Drayton. Charleston, S. C., 1794, pp. 9–27. "New York is a London in miniature, populous streets, hum of business, busy faces, shops in style." Travels in the United States of America, commencing in the Year 1793 and ending in 1797. W. Priest, p. 151.

† New Travels in the United States of America. De Warville, p. 160.

‡ A fine engraving of the Battery, the guns, the harbor, and "the Churn," with the French frigate L'Ambuscade coming up the bay, is given in John Drayton's Letters, etc., p. 20. The Churn was a high stone observatory shaped like a truncated cone. From the top of it rose a flag-pole, giving to the whole structure the appearance of a huge churn and dasher.

business in a large way transacted. There were the insurance offices, blank checks on the city banks, and the huge books in which captains and pilots spread such shipping news as they had been able to collect. If a merchant wanted a clerk, or a clerk a position, it was at the Tontine that the notice, neatly written, was fastened up.

What the Central Park is now the Battery was then, and on it, in the cool of the day, hundreds of people might have been seen walking and enjoying the breeze. But the favorite resorts were without the town. Every fine summer day, when the banks had closed, when the Tontine was deserted, when no news from abroad kept the men in town, numbers of hackney coaches and phaetons rolled away to the tea-gardens on the hills overlooking the entrance to the Sound. Some drew up at the Belvedere,* famous for the beauty of its views and the excellence of its syllabub and tea. Others went on to Brannon's Tea-Gardens.† There was a greenhouse full of lemon-trees and orange-trees, aloes and tropical plants, and, besides the tea, the best iced liquors and the best iced creams to be had on the island. Across the Boston road was the Indian Queen,‡ where the Frenchmen met, talked politics over their coffee and tea, scowled on all who came without a cockade, and, when the moon was up, sang Ça Ira and the Marseillaise. On fine Sundays thousands went over the ferry to Brooklyn and took the road to Gravesend. There on a hill that overlooked the sea was a "tea-drinking pleasure-house," famed far and near. The view of the ocean, the coolness of the air, the company, and the table, brought men from thirty miles around. Four ferry-boats were unable to bring over without delay the crowd which, at nightfall, stood upon the Brooklyn shore. A stranger who once visited the place declares that, on his way home, he waited for two hours for a chance to board one of the boats.#

But the careless were not solely dependent on the Tea-

* An Excursion to the United States of North America in the Summer of 1794. Henry Wansey, p. 58. † Ibid., p. 205.

‡ Ibid., p. 59.

"On our return to Brooklyn we could get no passage for two hours. So much company resort to this pleasant island on each fine Sunday from New York and other places as to keep four large ferry-boats, holding twenty persons each,

Gardens for Sunday amusement. They might push their way, at times, into Trinity Church, and hear some noted actress sing.* Or go, in the evening, to the Assembly-Room, where, occasionally, free-thinkers and wandering preachers held forth. Generally they were scoffers at sacred things. But a stranger who rented the "Large Assembly-Room" in the beginning of the year 1794 had no such end in view. The building stood on Courtland street, not far from Broadway. The name of the stranger was John Butler, and he was, undoubtedly, the first Unitarian that ever preached in the city. He began by delivering, every Sunday evening, what he called a lecture. The city was then much infected with French infidelity. The principles afterward set forth in the "Age of Reason" were fast becoming fashionable. The views of Mr. Butler were liberal, and, as a consequence, the people went in crowds to hear him. It is likely that such conduct on the part of the citizens was made the subject of some vigorous sermons by the clergy; for the first public notice issued by Mr. Butler was addressed "To the Clergy."† It appeared in the New York papers of January twenty-fourth, 1794. He understood, he stated, that, "in consequence of the liberality of the principles he had endeavored to inculcate," some "improper liberties had been taken in the pulpit and upon the altar." "The clergy and others" were therefore informed that he would deliver another lecture on the following Sunday evening at six o'clock in the Great Room on Courtland street. Those who had condemned his doctrines would then have a chance of refuting them. The lecture was delivered and among those who heard it was "A Lover of Truth."‡ In the Daily Advertiser of February first he declares that from the number of listeners the evil was truly alarming. He had expected that some per-

in constant employ. Between three and four thousand persons had passed over that day." An Excursion, etc. Henry Wansey, pp. 210, 211.

* Of Mrs. Pownal, an actress who sang in Trinity Church in 1793, Drayton says: "She may with truth be considered as a good performer, and, although the reverend divine at church seemed to deliver himself with earnestness, yet such was the crowd that the voice of Mrs. Pownal alone arrested attention and claimed the privilege of being heard." Letters written during a Tour through the Northern and Eastern States of America. John Drayton, p. 26.

† Daily Advertiser, January 24, 1794. ‡ Ibid., February 1, 1794.

son of abilities would have come forward and refuted so dangerous a doctrine. If Mr. Butler were suffered to go on, the worst consequences were to be feared. It was much to be hoped that some of the clergy would "condescend to oppose the Sole-Mending Lecturer," who, it was given out, intended to preach again on the following Sunday.* Till this time the lectures had been free, but, as the audience passed through the door of the Assembly-Room on the evening of February second, money was demanded. Some indignation was expressed at this, and one, who paid the entrance fee, complained through the Advertiser. He had constantly attended Mr. Butler's lectures. He had believed the lecturer's statement that religion was not being made a trade of, and had thought that, whatever men might say of Mr. Butler's doctrines, they must, at least, admire Mr. Butler's liberality. Henceforth he must doubt these fine professions.† To this attack Butler instantly replied. Not a penny of the money had come into his pocket. Until a friend told him of it, he had not even known that a price was being charged. He then demanded that the proprietor of the room should explain what this meant. ‡ This was done. The proprietor informed the public that Mr. Butler had no hand in the business, and got none of the money. The custom had been to leave it to the generosity of the public, and take up a collection in the room. Unhappily, the generosity of the audience was "such that they would split and tear *penny bills* in two and three pieces in order that each one might put in something." On one Sunday eight shillings had been collected. On another ten. This would not enable him to pay for fire, candles, servants, and rent. He had, therefore, charged an entrance fee.#

Despite all that could be done, Butler grew more popular every week. His audiences multiplied. Their interest increased, and, before March came, a "Unitarian Society" was formed. And now the clergy of all denominations felt called

* ADVERTISEMENT.—As Mr. Butler intends lecturing again to-morrow, we hope the clergy will exert themselves to prevent his disseminating doctrines which, if false, must, from the increasing numbers of his hearers, become very alarming. Ibid., February 1, 1794.

† See a piece signed "A. B." Daily Advertiser, February 5, 1794.

‡ Ibid., February 6, 1794. # Ibid., February 7, 1794.

on to interfere. They began by asking him to come to a private conference.* This he declared could be attended by no public good. Let them come to his lecture, and, searching the Scriptures together, let them make public the arguments for and against his doctrine. One shilling would be taken from each of the rest of the company, but the clergy should be allowed to come in free. If this were impossible, if none of the reverend clergy would come to a tavern to dispute, he would put his doctrine in print, provided they, in return, would answer him through the press.† The invitation was not accepted. Unitarianism continued to be denounced, and one, a Roman Catholic priest, became especially severe. To him Butler now addressed a card.‡ If the pious father would attend any of the Sunday lectures an opportunity would be given him to refute the doctrines he so confidently condemned. Should he prefer, Mr. Butler would wait upon him, for a like purpose, at his own house of worship. At this stage in the dispute a paper came out in the Advertiser strongly defending the Unitarian preacher.# Whatever, said the writer, may be thought of Mr. Butler's doctrine, he cannot be accused of illiberality. He invites any one who wishes to come forward and dispute with him. What other great teacher of religion had done this? Did Calvin, or Luther, or Whitfield, or Wesley? Nay, did the great founder of Christianity ever extend the privileges Mr. Butler does? Why, then, do not the ministers embrace the opportunity so freely offered? Why not confute his doctrines? To insult him in their pulpits is but to stir up curiosity and send people to hear him. "One of the arguments of the Unitarian orator is, that unless the clergy are kept like furniture upon a mantel-piece, more for ornament than utility, it is their business to confute him." If they know him to be spreading false principles, yet suffer him to go on, they are more to blame than he is.

Encouraged by language such as this, by the crowds that

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* See a piece headed "Unitarian Society." Daily Advertiser, March 14, 1794

† New York Daily Gazette, March 6, 1794.

‡ See "Unitarian Society." Daily Advertiser, March 28, 1794.

See a piece headed "TRUTH NEEDS NO DISGUISE." Ibid., March 29 1794.

came each Sunday to hear him, and by the silence of the clergy, Butler now put forth an "Address to Trinitarians." * Though, said he, my sentiments differ greatly from those of your clergy, yet have I used no tricks to spread them. If theirs be true, surely they can disprove mine. Yet they insult your understandings by bidding you not to hear me. What would they say of me were I to do as they have done? Have I not promised to stop the moment they show me my error? What more can they ask of me? What less can I ask of them than an impartial hearing. But they will not follow the golden rule. Their words and their works do not agree. They will not suffer themselves to be convinced. Wise enough to see their error, they are not candid enough to own it. Since, then, they will do nothing, it becomes your duty to interfere. Tell them that common justice requires that the men who accuse me of spreading false doctrines should prove it a fact, or retract the charge. Tell them if I am doing wrong, and they know it, and permit me to go on, then are they alone chargeable with the consequences. Say you pay them great salaries to defend the truth, and that they must do this, or transfer their robes of office to worthier successors. The address produced its effect. On Sunday, the sixteenth of April, an opponent appeared, a discussion took place, and the audience went home in much the same mind as they came.†

The tavern in which Mr. Butler preached was not numbered among the great hostelries famed for their company and their cheer. Such places were for the rich and extravagant. To lodge at the Tontine and eat at the common table would, a traveller declares, have cost ten shillings a day. At Mrs. Loring's, a noted boarding-house on the site of what is now

* Daily Advertiser, April 11, 1794.

† "Unitarian Society.—If the candid indulgence shown to the foreigner who opposed certain of Mr. Butler's principles last Sunday should induce other opponents to come forward in future, he hopes they may also be induced to imitate that gentleman's liberality, and as an English clergyman, who objected not to a tavern, but attended on two successive evenings, has been frank enough to declare his approbation of Mr. Butler's conduct in allowing free scope to fair argument, the clergy of this city will as frankly, perhaps, state their pious scruples to the public, or point out to them some impropriety in his several invitations" Ibid., April 18, 1794. See, also, April 12, 1794.

No. 1 Broadway, the sum demanded would have been seven dollars a week. But, a few miles out of the city, no one would have thought of asking more than two. Such prices are to be ascribed to high rents, high wages, and dear food. The number of houses had increased from forty-five hundred in 1790 to eighty-nine hundred in 1794. But such was the demand that three hundred pounds currency were often paid as the yearly rent of a shop, and two hundred and twenty pounds for a house on a narrow back street. Servants, no longer hired for the year, asked and received as wages eight dollars a month. Footmen got ten. Hatters, two dollars a day. Carpenters, tenpence an hour. Masons, for laying a wall one perch long, one brick high, and eighteen inches thick, were paid fourpence. Common sailors could scarcely be had at twenty-four dollars a month; for the French war had increased the pay of seamen and the number of ships. The snows and brigs, sloops and schooners, ships and polaces, that left the port in 1794, were, it is said, no less than two thousand three hundred and eighty-nine in number. Not a few had been launched at the yards that lay along the East river bank, and, when in port, found wharfage between the Battery and Peck slip. None entered the Hudson; for all the warehouses, all the shops, all the fine residences, most of the population, the taverns and the banks, were east of Broadway. If the goods the ships brought in did not command a ready sale, they were hurried to the auction-rooms, a red flag hung out, and a crier placed on the footwalk to induce the passers-by to go in. So crowded were the auctions that shops near the rooms brought exorbitant rents.* Before the Revolution the export of the city had been chiefly flour and butter. The importance of the flour trade gave the barrel and the windmill a place on the city arms. But, in 1784, the Hessian fly came, whole fields of wheat were laid waste, the grain was changed, and the quantity and quality of the flour fell off. The butter trade had long been kept up by an artifice worthy of New England. On the flats off the Jersey coast, and along the

* An account of the behavior of these criers is given in Letters written during a Tour through the Northern and Eastern States of America. John Drayton, pp. 16, 17. Concerning the rents, see Aurora, March, 1801.

shores of the islands in the bay, were immense beds of the finest oysters in the world. Their size was enormous. The supply was inexhaustible. To dredge them cost such a trifle that, for many months in the year, they were the chief article of food for the poor. But, plentiful as they were at New York, oysters in the ports of the West Indies were a luxury much in demand. Many of the firkins, therefore, that went out from New York were made up of layers of butter with layers of half-cooked oysters between. After the war the custom does not seem to have been revived. Once in port, the captain of a merchantman, who was half a merchant himself, sold his cargo for what it would bring, filled out the little commissions in his order-book, took on board new goods, and, if he did not dispose of them at a second port, carried them home.

Such was the luck of the Zephyr. She had sailed from Port au Prince, and, on the nineteenth of July, was at Old Slip, at New York. But scarcely had she reached the slip when a boy who had long been ailing died. The Health Officer instantly visited the ship, saw the body, went down into the hold, and then set off, under a scorching sun, to find the commander of Governor's Island. For it was on that island he wished to bury the corpse. A few days later the Health Officer died of a fever. The yellow face, the symptoms, the whole behavior of the patient, led to the belief that the malady was yellow fever. Not long after a like disease broke out on the ship William. Then a family living on Water street was attacked. By the middle of the month it was clearly epidemic. Many of the people fled in terror from the city; for the disease was to them the most terrible of all the ills that afflicted man. Neither the skill of the doctors nor the properties of patent medicines, neither Godfrey's Cordial, nor Daffy's Elixir, nor Bateman's Drops, nor Stoughton's Bitters, nor Hooper's Pills, nor Haarlem Oil could hold it in check.* By the sixth of October the list of the dead summed up to five hundred and twenty-five souls.† Meanwhile all

* For some of the patent medicines of that time, see a druggist's advertisements in New York Journal, January, February, 1794.

† New York Journal, October 10, 1795.

manner of stories were passing about. They agree, however, in one point. The plague was of foreign origin. The Zephyr had brought it. The boy had died of it. The Health Officer had cut up the corpse, and so taken the fever, while the crew of the William had caught it from the two ships lying side by side. But it was soon shown that the boy had not been dissected and that the vessels had never been within half a mile of each other. The Active was then declared to have caused all the trouble. She had come straight from Martinique with hogsheads of coffee and bales of wild honey, and had broken bulk alongside of the William. This, too, was soon disproved, and the people next fixed on a "parcel" of cotton. The parcel, it was said, was shipped in the Indies, was damaged, and lay upon the deck of the brig Caroline. There a man thrust his arm into the middle of the bale to sample it. But such was the virulence of the disease that his arm came out a livid color.*

While these idle rumors were passing from mouth to mouth, the Mayor of Philadelphia forbade all communication with New York. This threw the citizens into a rage. Bets were offered at the Tontine that one third more people had died at Philadelphia during July and August than, in the same months, had died at New York.† Some said the Mayor was paying off an old grudge. Others that he had been "gulled by malicious letters and totally vague reports." The imagination of some terrified Philadelphians was the cause. They had fled from the city, and as they rode along their fears had so worked upon them that when the stage drew up at the Indian Queen seventy or two hundred deaths a day seemed a trifle. One squib told how a stranger, wandering about the city, saw the same funeral seven times, and hurried away declaring the people were dying by scores. Another assured the Philadelphians that the people really were "popping off like rotten sheep." Two hundred carcasses had been burned on the Battery. Five hundred citizens had been hanged lest they should catch the fever. About forty more had been guillotined.

* An Account of the Epidemic Fever which prevailed in the City of New York during part of the Summer and Fall of 1795. By Richard Bayley, pp. 7–24.

† New York Journal, September 5, 1795.

All the glass in the city had been broken by firing cannon. Could not Philadelphia send a hundred thousand dollars?* The Philadelphians did indeed raise a subscription, and, early in October, sent seven thousand dollars to the Mayor of New York for the benefit of the poor.† When the cool weather came the yellow fever disappeared.

But the disease did not seem half so terrible to the people as the treaty. Washington had ratified the instrument in August; yet when the year went out the newspapers still abounded in savage attacks upon the work of Mr. Jay. Scarce a Roman of note but had his name affixed to a letter or pamphlet, or a long series of papers in some Advertiser or Gazette. Cinna and Camillus, Atticus and Decius, Cato, Valerius, Cassius, Caius, Curtius, Gracchus, Tully, The Centinel, The Federalist, The Constitutionalist, Franklin, Americanus, Columbus, Nudum Pactum, and John Doe, such are a few of the names that became familiar to the readers of the day. Some were assumed by men whose influence was great and whose position was high. Hamilton was Camillus,‡ Robert Livingston was Cato, Brockholst Livingston was Decius; but the greater number concealed the names of men who made a living at the bar.#

The chief features of the treaty may be briefly summed up: Pay for the negroes carried off by Carleton was not provided for; the right of search was not renounced; the claim of Americans to a fair share of the British West Indian trade was not allowed; no American trader could enter a port of Bermuda, or St. Kitts, or St. Eustatia, or of an island of the Caribbean sea, subject to the British crown, on a ship of

* New York Journal, September 5, 1795. † Ibid., October 10, 1795.

‡ "The defence by Camillus was written in concert between Hamilton, King, and Jay. . . . This I have from King's own mouth. It is to pass, however, for Hamilton's." John Adams to his wife, January 31, 1796. The biographer of Hamilton states that the original outlines of the twenty-eighth number of Camillus are in Hamilton's handwriting. Numbers 23 to 30, 34, and 35, are by another. History of the Republic of the United States of America. J. C. Hamilton, vol. vi, p. 273.

Many of the best of the treaty papers, speeches, addresses, and resolutions were afterward gathered by Mathew Carey and printed in The American Remembrancer; or, an Impartial Collection of Essays, Resolves, Speeches, etc., Relative or having Affinity to the Treaty with Great Britain. October 10, 1795.

more than seventy tons. He could not go to any of the harbors, nor sail up any of the rivers, nor trade at any of the ports of Canada, or Nova Scotia, or New Brunswick, or of the territory owned by the company of Hudson's Bay; yet British ships were free to come into any haven of the United States and sail up any river to the highest entry port. One board of commissioners was to determine the eastern boundary-line of Maine; another was to determine the amount of British debts. These damages the United States was to pay. A third was to estimate the losses inflicted on American merchants by the illegal capture of their ships by English privateers and men-of-war. These damages England was to pay. On the first of June, 1796, the frontier posts on Lake Champlain, at Oswegatchie and Oswego, Niagara, Detroit, and Michilimackinac, were all to be surrendered. Murderers and forgers were mutually to be given up, the rights of privateers were prescribed, a list of contraband goods was given, and the treatment of armed ships clearly laid down. It was provided that debts should not be sequestered; that the merchants of the one nation should be suffered to hold lands and houses in the domain of the other; and that the first ten articles of the treaty should last forever. The remaining eighteen, the twelfth alone excepted, were to be in force for twelve years. The twelfth was to expire in two years from the day on which the war with France should end. It related to the West Indian trade.

This, said the Republicans, is called a treaty of amity, commerce, and navigation. It is to settle forever all our differences with Great Britain. What are these differences? Payment for the negroes she took from us; payment for the retention of our frontier posts; payment for the capture of our merchant ships and the impressment of our seamen; payment for inciting Indian massacres and Algerine wars. What were the remedies urged by the people? A discriminating tonnage duty, non-intercourse, the sequestration of British debts, and vigorous preparations for war. What are the remedies provided by the treaty? None. It pretends to be reciprocal, yet it denies to Americans the right to carry from their own ports cotton grown upon their own soil, and gives that right to Eng-

lishmen. It fails to provide for the safety of American seamen, yet looks well to the safety of British tars. Every swaggering captain of a cutter, every fat purser of a frigate that comes to one of our ports, may now put on all the airs of superiority he pleases, insult our citizens to his heart's content, and lord it over us in our own coffee-houses with perfect impunity. These men, so says the twenty-third article, are to "be treated with the respect due the commissions they bear." If Americans are rash enough to resent this insolent behavior, they are to be treated as "disturbers of the peace between the two countries." * It pretends to be a treaty of navigation, yet numbers of our vessels have been condemned in British courts of admiralty since the eighteenth of August last. It pretends to be a treaty of commerce, yet twenty-eight of our ships laden with food have been taken on the high seas. It pretends to be a treaty of amity, yet the captain of a British man-of-war enters our waters, fires upon a vessel, insults the Governor of Rhode Island, and threatens to lay the town of Newport under contribution, nay, to reduce it to ashes. A very pretty instance of amity this! † Americans, read the letter of Captain Home. Mark the arrogance, the insolence breathed in every line, and then ask yourselves whether you will seek an alliance with a nation whose officers dare to add unparalleled insult to unheard-of injury. No nation on the face of the earth but the American, and no administration but the present, would suffer such conduct to pass unnoticed. ‡ Wait, the aristocrats say to us. We are growing rich in spite of all these injuries. Let us mind our business; let us submit. We shall soon be strong; then we may bluster at our leisure. What first raised the American character? What first gained for it the admiration of the world? Was it tame submission to the injuries of Britain? Was it a scrupulous calculation of what we might gain or of what we might lose? No; it was a bold resistance.# As a treaty of amity it is partial and defective; as a treaty of commerce it is not reciprocal; as a treaty of naviga-

* Cato on the treaty.

† First Fruits of the Treaty of Amity, Commerce, and Navigation. New York Journal, October 14, 1795.

‡ Aurora, August, 1795.

See Cato.

tion it is humiliating in the extreme.* Yet it must be a good treaty. The Senate has approved, and that is enough. Every man, therefore, who presumes to think about the sublime instrument is a Jacobin. For what was the Senate chosen but to think about such things for the people? Have we not given the Senate the sole and exclusive right to think for us? He who dares to think and talk and find fault with the treaty is an Antifederalist, a Jacobin. Is not this what Mr. Hamilton, that trumpet-tongued asserter of the people's rights, has long been preaching up? Has he not proved it again and again as clear as the sun in the late hot weather? It is amazing that the people should be prying and searching and peeping into matters they have no business with. This it was that ruined Rome, that brought the British lash down on us in the late war, and that now distracts France. Strange we cannot learn by experience. Let the people obey. Let them remember that every man who tells them they have a right to think and speak on the sublime mysteries and, to them, incomprehensible affairs of Government, is a factious Democrat and an outrageous Jacobin.† From Richmond came a protest more bitter still. If, said the writer, the treaty entered into by that damned arch traitor John Jay and the British tyrant is ratified, a petition will be sent about, the Legislature will be asked to pass an ordinance of secession, and Virginia will be left under the protection of one hundred thousand free and independent men. It closed with the request that the printers of the then United States would insert the notice in their sheets.‡ Yet another editor announced the ratification by the Senate to his readers in a coarse parody of the birth of Christ. The heading of the paragraph was "Glad Tidings of Great Joy." The treaty was the child, "the long-expected embassorial, diplomatic, farci-comical savior of fifteen fallen States." The mother was called Chief-Justice, and had been "overshadowed by the prolific spirit of Gracious Majesty at the Court of St. James."# When it was known that Washington had at last put his name to the instrument, the Republican journals broke out in abuse. The President, said the Aurora, has violated

* Columbus on the Treaty.

† An Essay on Jacobinical Thinkers.

‡ Boston Gazette, August 25, 1795.

Boston Gazette, August 10, 1795.

the Constitution. He has made a treaty with a nation that is the abhorrence of our people. He has treated our remonstrances with pointed contempt. Louis XVI, in the meridian of his splendor and his power, never dared to heap such insults upon his subjects. The answers to the respectful remonstrances of Boston and Philadelphia and New York sound like the words of an omnipotent director of a seraglio. He has thundered contempt upon the people with as much confidence as if he sat upon the throne of Indostan. As he has been disrespectful to his people, let him no longer expect them to view him as a saint.*

One man had long ceased to view Washington as a saint, and soon began to accuse the President of being a thief. The name he put at the end of his charges was "A Calm Observer." But those who pretended to know declared he was John Beckley, clerk of the House. He searched the accounts of the Treasury, and found what he thought was most damaging evidence. During the first term of office Washington had drawn from the Treasury five thousand one hundred and fifty dollars more than the salary fixed by law. Much had been repaid. But the balance against him in March, 1793, was one thousand and thirty-seven dollars. Meanwhile Congress decreed the President should be paid quarter-yearly. In the next quarter eleven thousand were drawn, an excess of four thousand seven hundred and fifty dollars over the salary allowed by law. This, said the Calm Observer, makes his pay forty-four thousand a year. Is there any other man who would have dared to ask such a favor? How can the people feel respect for the rulers who trample on the laws and Constitution of the land? What will posterity say of the man who has done this thing? Will it not say that the mask of political hypocrisy has been worn by Cæsar, by Cromwell, and by Washington alike?†

Another, who called himself Portius, went back to the times at the close of the war.‡ Washington then had declared

* Aurora. See, also, An Emetic for Aristocrats. Ibid., September 14, 1795.

† A Calm Observer. New York Journal, October 28, 1795. See, also, the same for October 31 and November 4 and 7, 1795.

‡ New York Journal, October 28, 1795.

he would not accept office. In this he was surely sincere. What office had America for him? The governorship of a State was beneath the man who had commanded the armies of the United States. The presidency of Congress seemed a mean place. He went back to private life because he could not satisfy his ambition. It was thought the late army could and would have declared him a king. But he put away the temptation, and refused any pay for the great things he had done. Not a shilling would he take above the expenses of his military family in camp. This solemn farce of refusing salary had been repeated. But the success was small. The second representation would make a good commentary on the first.

With the Constitution in one hand and the word of God in the other, George Washington swore to defend a system of republican government that abhors the insidious machinery of royal imposture. Has he done so? What have been the fruits of this solemn oath? The seclusion of a monk and the supercilious distance of a tyrant. Old habits on a sudden have been thrown away. Time was when he, more than any other, indulged the manly walk and rode the generous steed. Now to behold him on horseback or afoot is the subject of remark. The concealing carriage, drawn by supernumerary horses, expresses the will of the President, and defines the loyal duty of the people. He receives visits. He returns none. Are these republican virtues? Do they command our esteem?* Happily, the public mind is rapidly changing. Hitherto the name of Washington has been fatal to the popularity of every man against whom it was directed. Now it is as harmless as John O'Nookes or Tam O'Stiles. To be an opposer of the President will soon be the passport to popular favor.†

And now the press teemed with replies, coarse, spiteful, and serious. Pamphlets crowded the shelves of the bookshops. Not a Federal newspaper but gave up several columns of each issue for a paper in support of the treaty. The best of all was The Defence, by Camillus. Republicans affected to consider it a poor performance, and made merry over the last effort of Mr. Hamilton. One asked if The Defence

* Valerius, October 25, 1795. † Pittachus, October 24, 1795.

contained "the stuff" he wished the people to listen to at the late treaty-meeting at New York?* Another declared that if Camillus went on throwing off numbers at his present rate he would be done about the time the British gave up the frontier posts.† A third urged him to stop awhile and justify the conduct of the British Captain Home.‡ But he to whom all Republicans looked up with great respect had not read many numbers when he begged Madison in strong terms to reply. And well he might. A dozen newspapers were copying The Defence,# and hundreds of men who, in July, looked coldly on the treaty, began, by October, to think it a wise thing.

Camillus reminded his readers of the well-known enthusiasm for France, of the hatred many still felt toward the Constitution, and of the bitterness which every success of the administration never failed to inspire. How the treaty had been denounced before it was known; how a false sketch had been published; how emissaries had been sent through the country spreading discontent and alarm; how bitter the toasts were on the fourth of July; how the Republicans would not suffer it to be read at Boston; how they would not discuss it at New York; how at Philadelphia they burned it with every mark of contempt. He then went on to explain the merits of the treaty, and to defend what had been considered its defects. Matters in dispute were settled in a reasonable way. It made no improper concessions, sacrificed nothing on the part of the United States; secured a return for everything given, nay, obtained privileges which no other nation on the face of the earth had ever before been able to get from Britain. No existing treaties were violated; no restrictions were laid that could not be borne with honor. The war articles were strictly in accord with the law of nations.

Not less effective was the pamphlet of Porcupine. Ever

* New York Journal, October 24, 1795. † Ibid., December 25, 1795.

‡ Aurora, August 15, 1795.

See The Argus; Herald; The Daily Advertiser (N. Y.); New York Journal; Columbian Mirror; American Minerva; Gazette of the United States; Connecticut Courant; Alexandria Gazette; Herald and Norfolk and Portsmouth Advertiser; Virginia Gazette and Petersburg Advertiser; Richmond and Manchester Advertiser; Impartial Herald (Newburyport).

since the day when he held up to ridicule the behavior of the Republicans on the arrival of Priestley, the conduct of the French party had been to him a subject for attack. The Comprehensive Story of a Farmer's Bull, The Democratic Memoirs, The Democratic Principles, The Bone to Gnaw for the Democrats, A Little Plain English Addressed to the People of the United States on the Treaty, made a series of pamphlets which the most hardened Democrat could not read without wincing. In return they assailed Cobbett with all the malignity inspired by party hate. They published sketches of his life,* and attributed to him acts which would have brought a blush to the cheeks of Robespierre or Marat;† they applied to him almost every epithet of abuse the English language afforded; they threatened him; they drew caricatures of him and filled the shop-windows with rude prints. Numbers of men of his own party could find little that was good to say of him, for there, too, he had been busy with his lash. For the United States he felt profound contempt. He jeered at the Constitution, scoffed at independence, and, in a satire worthy of the best vein of Swift, derided the democratic doctrine of the equality of all men. But he could not be silenced, nor the influence his writings held over the minds of many

* The Blue Shop; or, Impartial and Humorous Observations on the Life and Adventures of Peter Porcupine, and with the real motives which gave rise to his abuse of our Distinguished Patriotic Characters; together with a Full and Fair Review of his late Scare Crow. James Quicksilver, 1796. The Scare Crow: Being an Infamous Letter sent to Mr John Oldden, threatening Destruction to his House and Violence to the Person of his Tenant, William Cobbett, 1796.

† These attacks on his character led him to publish a brief autobiography, and in it he drew a comparison between his own grandfather and the grandfather of one of his tormentors, Benjamin Franklin Bache. "Every one will, I hope, have the goodness to believe that my grandfather was no philosopher. Indeed he was not. He never made a lightning-rod nor bottled up a quart of sunshine in his life. He was no almanac-maker, nor quack, nor chimney doctor, nor soap-boiler, nor ambassador, nor printer's devil. Neither was he a deist; and all his children were born in wedlock. The legacies he left were his scythe, his reap-hook, and his flail. He bequeathed no old and irrecoverable debts to an hospital. . . . He has, it is true, been suffered to sleep quietly beneath the greensward; but, if his descendants cannot point to his statue over the door of a library, they have not the mortification to hear him daily accused of having been a profligate, a hypocrite, and an infidel." The Life and Adventures of Peter Porcupine, with a Full and Fair Account of all his Authoring Transactions, 1796, p. 11.

destroyed.* While Cobbett was busy preparing his pamphlet the Federal cause was defended as usual in poems, letters, and squibs. Now it was the political creed of a Democrat;† now the catechism of a Democrat; now a description in verse of a Jacobin leader;‡ and now a receipt for a Modern Patriot. The Patriot was made of a pound of insolvency, with an equal quantity of malignance and pride, steeped for two days in a quart of treaty-phobia, and left to digest in the heat of a beer-house. The mixture was then to be strained through ten sheets of the Aurora or ten pages of the Scotch Progress, some flowers from "Snub" or from "Franklin" thrown in, and the whole drunk from the skull of an Englishman. The man who swallowed it would soon have courage enough to storm a windmill or burn an effigy.# The President, it was said, and twenty senators have approved the treaty; ten have wholly disapproved. In whom is it fair to suppose the larger quantum of knowledge and integrity is to be found? In the

* Some of the pamphlets called forth by his writings are: A Twig of Birch for a Butting Calf. A Rub from Snub; or, A Cursory Analytical Epistle, addressed to Peter Porcupine, etc., 1795. A Roaster, or, A Check to the Progress of Political Blasphemy, intended as a Brief Reply to Peter Porcupine, *alias* Billy Cobler. By Sim Sansculotte. A Pill for Porcupine, etc., containing a Vindication of the American, French, and Irish Characters against his Scurrilities. By a Friend to Political Equality, 1796. The Impostor Detected; or, A Review of Some of the Writings of Peter Porcupine. By T. Tickletoby. Congratulatory Epistle to the Redoubtable Peter Porcupine on his "Complete Triumph," etc., a Poem. By Peter Grievous, Jr., 1796. The Vision: A Dialogue between Marat and Peter Porcupine in the Infernal Regions, 1796. A Refreshment for the Memory of Peter Porcupine.

† *Political Creed of a Western American.*

I believe that the treaty formed by Jay and the British King is the offspring of a vile aristocratic few. . . .

I do not believe that Hamilton, Jay, or King are devils incarnate; but I do believe them to be so filled with pride and so fattened on the spoils of America that they abhor everything that partakes of Democracy. . . .

I do believe that the political dotage of our good old American chief has arrived. . . . Richmond Chronicle, November 10, 1795.

‡ See The Echo, Connecticut Courant, August, etc., 1795. Guillotina; or, The Annual Levy of the Tenth Muse, etc. Ibid., January 1, 1796. Aristocracy, an Epic Poem, 1795. Democracy, an Epic Poem. By Aquiline Nimblechops. The Democratiad, 1795. The Jacobiniad. Of this poem Ames remarked: "I admire The Jacobiniad; the wit is keen. And who can deny its application?" Fisher Ames to G. R. Minot, January 20, 1795.

Gazette of the United States.

twenty-one or in the ten?* Both the senators from Virginia were among the ten. But was the twelfth article the only one offensive to them? No; there was another that contained some awkward words about paying old debts, and, it is whispered, the senators have some property at stake.† Let every honest man make his mind easy; let him be calm and think for himself; let him not believe the Democratic Societies. They are the Jacobins of America.‡ From the day Mr. Jay was appointed to the day the treaty was made known, the Democrats from New Hampshire to Georgia declared that negotiation could never bring redress. On this ground they raised the most formidable objections to the peaceful measures of the Government. Yet these measures succeeded. Redress was secured; the treaty was published. Did this remove their objections? By no means. Disappointment made them more violent than before. Mr. Jay was denounced by scribblers,# was guillotined in effigy at New York, burnt at Philadelphia, and damned at New Castle. And all this for what? Why, truly, for effecting by negotiation what these scribblers had said negotiation never could effect. Let the people remember that such violent demonstrations as have been indulged in are far more dangerous to our welfare than any treaty can be.‖ Contrast the conduct of the Democrats with the conduct of the citizens of the Federal State of Connecticut. While the people of Boston are gathering at one

* Columbian Centinel, July 4, 1795.

† Connecticut Courant, July 13, 1795.

‡ United States Chronicle, July 23, 1795.

An extremely coarse democratic poem, in dialogue form, ridiculing Mr. Jay, appeared in a South Carolina newspaper, and was copied far and wide. That so vulgar a poem should have been so generally read is a sign of the times worth noting. See South Carolina State Gazette. Knoxville Gazette, October 2, 1795.

Another squib announced a new play at the Harrodsburg Theatre. At midnight on October 1st the doors would open with the noted farce of "Amity, Commerce, and Navigation." Mr. Envoy would enter and make fifteen low bows, reaching from Canada to Florida. Lord Peacock would entertain the audience with a long story of what His Majesty never meant to do. Mr. Envoy would sing the much-despised song, "Give up All for Nothing at All." The other actors, twenty in number, would dance to the tune of "A Bird in the Hand is worth two in the Bush." "Tickets to be had by producing British gold and coming up to my price." Kentucky Herald. South Carolina State Gazette, November 11, 1795.

‖ Massachusetts Spy, July 29, 1795.

time to destroy the property of a foreigner who has come to trade with them, and at another to condemn the treaty unread; while the people of New York are throwing stones and bricks at those who venture to speak a word in favor of it, the men of Connecticut are busy harvesting their grain. As long as they are free from taxes and debt, as long as crops are good and prices high, they never will be duped by the frenzy of a town-meeting at Boston or a Democratic Society at New York.* These Democratic supervisors of the Government excuse themselves by saying they were petitioning the President. Petitioning him to do what? To refuse to sign a treaty his council, the Senate, has advised him to sign. To refuse to sign on such advice is as despotic as to sign without their advice.† Is not twenty greater than ten? Shall not a majority rule?

Sometimes the writer would adopt the language of sailors, and address himself to that class so numerous in all the seaboard villages and towns.‡ A gang of land-lubbers had entered on board the Federal ship as common seamen. They knew nothing of the sea. Every time a squall struck they were the last to help haul sail, and whimpered, "I told you so." These lubbers had become frightened at some of Mother Carey's chickens seen hovering about the ship, and were continually bawling out, "Rocks! Rocks ahead! Look out for the breakers!" But the old sailor who stood in the bow saw none of them, answered, "No soundings," and laughed at the swabbers. Sometimes the ridicule was put in the form of a ballad, which, set to a well-known air, was speedily taken up and sung in the streets, and under the windows of Democratic inns.#

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* Connecticut Courant, July 27, 1795. Massachusetts Spy, July 29, 1795.

† Massachusetts Spy, August 12, 1795.

‡ See Federal Ship News. Pennsylvania Gazette, November 25, 1795.

The first stanza and chorus of one of these songs is:

"Brother Jonathan, what 're you 'bout,
What the nation ails you?
Why with Treaty make such rout!
'Vow your reason fails you.

Chorus: "Yankee Doodle keep it up,
Yankee Doodle Dandy,
Sure you've had a pow'rful cup,
'Lasses mixed with brandy."

New Jersey State Gazette, August 4, 1795.

Pamphleteers and news-writers were still hard at work when the State Legislatures took up the treaty, and, before the first of March, 1796, most of the fifteen had passed resolutions concerning it. In New Hampshire, in Massachusetts, in Rhode Island, in New York, in Pennsylvania, in Delaware, in Maryland, in North Carolina, the language of the resolutions was the language of assent. The Legislature of South Carolina thought the work of Mr. Jay injurious to the country. The Governor of Kentucky declared some of the treaty stipulations to be unconstitutional, and the House agreed with him. But no State went so far in opposition as Virginia. There a resolution approving the conduct of Mason and his colleague was passed. Another, expressing undiminished confidence in Washington, was lost. A third, disclaiming any imputation on the motives of the President, was carried by a majority of sixteen, in a house of one hundred and forty. The Constitution too, the Legislature thought, needed amending. The House of Representatives should share the treaty-making power. The judges of the Supreme Court should hold no other office; the Senate should not try impeachments; and the term of each senator should be three years. The chief justice ought not in future to be sent abroad to make treaties it was his business to construe. Then the sentiments of the people would find expression in the deeds of their servants.

Meanwhile Monroe and the treaty had made trouble in France. When Jefferson came home to become Secretary of State, the place of Minister to France was intrusted to Gouverneur Morris. Shocked at the enormities perpetrated in the name of liberty, he spared no pains to help the unfortunate, and soon brought upon himself the hatred of every Republican in France. More than once rumors were afloat that he had been guillotined; that his house had been sacked; that he had fled for life. His enemies accused him of fomenting a counter-revolution, of giving American passports to British incendiaries, and, when Washington demanded the recall of Genet, the French Government demanded, in return, the recall of Morris. This was done, and, early in 1794, James Monroe went out in his stead. Monroe reached Paris in August, to find that the government of Robespierre was no more. But

its arbitrary decrees were yet in force, and of all such decrees the most arbitrary related to foreign commerce. If a ship-master were so unfortunate as to enter a French port with a cargo of flour, or grain, or tobacco, he was compelled to sell it on the spot. The Committee of Public Safety was the purchaser. The money was assignats, and assignats were at that time, in France, what continental money had once been in America. Nor was this all. The goods taken and the paper thrust upon him, the captain was forbidden to lay out the bills for a return cargo till leave so to do was given him. While he waited for leave he might count himself happy if his ship was not boarded, and his crew carried off, maltreated, and thrown into prison. All this Monroe determined to correct. When, therefore, the Committee of Public Safety put off his reception, he wrote to the Convention. The letter was referred to the committee, the committee reported, and the next day was set for the reception. Thereupon a series of mummeries began that would have been more in place in Algiers, or at a treaty with the Creeks in the woods of Georgia. Monroe presented a paper praising the heroism of the French troops and the wisdom of the French councils,* was replied to by Merlin de Douay † in the style in which Genet wrote his official dispatches and Fouchet his appeals, was given the fraternal embrace in the name of the French people, ‡ and urged to take up his abode in the confiscated hotel of a nobleman.# This he declined. But, not long after, the Convention having ordered an American flag to be hung up in their hall, Monroe sent one with a letter. The bearer was Joshua Barney, a ship-captain who had done good service in the Revolution, and had gone out with Monroe to France. He delivered the flag and the letter, made a long speech, and received in return the fraternal embrace and a commission in the French navy. A few weeks later a French flag was ordered to be given, with like ceremonies, to the United States.‖ In these

* A View of the Conduct of the Executive in the Foreign Affairs of the United States, etc. James Monroe, 1797, pp. 20, 21.

† Ibid., pp. 23, 24. ‡ Ibid., p. 24. # Ibid., p. 24.

‖ Not long after the American flag was hung up, with that of France and Geneva, in the municipal house of the Republic of Geneva. Ibid., p. 81.

solemn triflings a month passed before Monroe could attend to the duties of his mission. He then found his door beset by sea-captains and merchants complaining bitterly of the behavior of France. Some had been injured by the embargo laid at Bordeaux. Some sought payment for food sold to the government of St. Domingo. Some had been taken at sea. Some had come in with rich cargoes, for which the Republic withheld even the depreciated assignats.* All these facts were made known to the Committee of Safety, and, after great delay, the Convention repealed the provision order and that for the forced sale of goods.† For another month all went well. But on the morning of the twenty-seventh of December a note from the Committee reached Monroe.‡ They were informed, they said, that a treaty had lately been made between the British Government and Citizen Jay. A vague report was abroad that in this treaty Citizen Jay had forgotten many things which French treaties and French sacrifices ought to have made him recollect. The dissimulation which belonged to courts ought not to exist between free people. They would therefore be pleased to see the treaty. Eight months, however, went by before their wish was gratified. John Trumbull, the painter, did indeed, as he passed through Paris in March, offer to make a secret communication of the heads of the treaty to Monroe. Trumbull had been secretary to the legation at London, knew the contents of the treaty well, and had the sanction of Jay for what he then offered to do. But Monroe would listen to nothing he could not go straightway and repeat to the French. Trumbull well knew what this meant, and told his story to a merchant. The merchant wrote it down, gave it to Monroe, and in a few hours the document was in the hands of the Committee of Safety. Again, in May, as Thomas Pinckney passed through Paris on his way to Spain, an attempt was made to obtain a copy of the treaty from him. He declined to give it, and the French Government saw none till the newspapers came over in the autumn of 1795.

Hard upon these went out a dispatch for Monroe. But the

* A View of the Conduct of the Executive in the Foreign Affairs of the United States, etc. James Monroe, 1797, p. 26.

† Ibid., pp. 95, 96.

‡ Ibid., pp. 103, 104.

sea was covered with English cruisers; the packet was overhauled, sent to England under the provision order, and many days elapsed before the letter reached France. There a new order of things had sprung up. The old Convention and the Committee of Safety had ceased to exist. The new Convention, the Constitution, and Directory had appeared. The dispatch reviewed the relations between America and France, explained the instructions given to Monroe, justified the conduct of the Government, and was followed in time by another. This bade the Minister make certain explanations to the government of France. He hesitated, and, while he hesitated, was told, the moment the treaty was approved, that moment the Directory considered the alliance with America at an end. The next day* he dispatched the news to the Secretary of State.† The letter was still upon the sea when Washington proclaimed the treaty the supreme law of the land, and sent a copy to the House. ‡

The House met on the morning of the seventh of December, 1795, and proceeded to choose Jonathan Dayton Speaker, and John Beckley Clerk. On the eighth the President came down to the House, took the chair, and opened the session with his speech. The task was far from pleasant. The House was no longer Federal, and before him sat men who, having foully slandered him for five long months, were now bent on insulting him, crossing him, nay, if they could, presenting the cup of humiliation filled to the brim. Almost as the door closed behind him, their work began. The established usage was for the House, having heard the address, to frame an answer, and, with the Speaker in the lead, march in procession and deliver it to the President himself. The ceremony was an idle one. Yet no man of feeling would have denied that the representatives ought not to take the initiative in putting it down. As long as Washington performed his part, common decency required that the representatives should perform theirs. But complaint was now made that drawing up the reply produced irritation and long debates. Some of the most bitter things said during the whole session were uttered in these wrangles. Let

* February 16, 1796. † Monroe's View, pp. 310, 311.

‡ The Proclamation is printed in the Aurora of March 3, 1796.

a committee go to the President and assure him of the attention of the House to the matters he had commended. The proposition, in short, was made the subject of a motion, a division taken, and eighteen members were seen to rise in the affirmative.

This ended the matter, and the Clerk in time read an answer prepared in the usual way. The member from Virginia, who wished there should be no address, now found fault with the language of the proposed address. Something was put in about the probably unequalled spectacle of national happiness which the country presented, and about the undiminished confidence of the people in the great man at their head.* The words "probably unequalled" were ordered to be erased by a vote of forty-three to thirty-nine. Whether the confidence of the people had or had not diminished provoked so unpleasant a debate that the whole address was recommitted. When it was again reported, the word "confidence" did not anywhere appear.†

The twenty-second of February, 1796, afforded a new opportunity to affront him. The House was then asked to adjourn for half an hour. The members, as the mover thought, should have a few minutes given them to congratulate the President on the happy return of his natal day. The practice was an old one. Never since Washington had been President had it been omitted. Now, however, it was dropped. The duty of the representative was to attend to legislative business, not to pay foolish compliments. The subterfuge, the Federalists declared, was a most miserable one. When the Speaker had a headache and sent word he was indisposed, did the House choose another and go on with the

* The words of the paragraph are: "Contemplating that probably unequalled spectacle of national happiness, which our country exhibits, to the interesting summary which you, sir, have been pleased to make, in justice to our own feelings, permit us to add the benefits which are derived from your presiding councils, resulting as well from the undiminished confidence of your fellow-citizens as from your zealous and successful labors in their service." Annals of Congress, December 15, 1795. Mr. Parker wished to strike out "probably unequalled," and from "resulting" to the end of the sentence.

† For some remarks on the wrangle by Porcupine, see "A Prospect from the Congress Gallery during the Session begun December 7, 1795," pp. 32–34.

business before it? No! it adjourned, and continued to adjourn day after day till the Speaker was well again. Yet thirty minutes was too precious to be wasted in a respectful compliment to the best man, perhaps, then living in the world.*

The custom of celebrating the twenty-second of February dates back to 1783. On that day and year a number of gentlemen met in a tavern at New York. One had written an ode. Another brought a list of toasts. All, before they went reeling and singing home, agreed to assemble in future on the twenty-second of February and make merry over the birth of Washington. Time made the celebration general. No legislature set the day apart for a holiday. Yet, wherever a score of houses were gathered together, a few hours, at least, were gladly given to festivity and joy. The fisherman forgot his nets, the workman laid aside his tools, the housewife left her needle in her work, the shopkeeper put up the shutters of his window, and the master on that day kept no school. Every theatre brought out some play fitting to the hour, and was gay with emblems and transparencies and flags. Every tavern spread its best cheer. March was far gone before the Gazettes and Advertisers ceased to publish narratives of the bonfires and the barbecues, the bell-ringing, the cannonading, the feasting, the toasts, and the balls which came in from every city and town in the land. On these demonstrations, however, a large part of the community now looked with unhidden rage. Men whose names were on the rolls of the "self-created society," or appeared in the subscription-list of the Argus or the Aurora; who hated the excise, the treaty, and Great Britain; who kept the sixth of February and the fourteenth of July, let pass no opportunity of showing their contempt for the man and the day. That the President was an aristocrat, they maintained, was clear. Was he not cold and reserved? Did he not carefully avoid using the word "servant" when he signed his letters?† Did he not keep a fine coach? Had he ever been seen mingling with his fellow-men at the coffee-house or on the street? Did he not hold levees?

* Political Censor, pp. 29, 30.

† South Carolina State Gazette, October 15, 1795.

What was the meaning of the odes, the fireworks, the fulsome toasts, the bell-ringing, and the birth-night balls that made the twenty-second of February as illustrious as the fourth of July? Could any man call this republican? In place of reminding Mr. Washington that he was the servant of the people, he was being treated like a king. Had more ever been done for King George? What wonder, then, that the American George issued proclamations, made treaties, insulted the allies of his country, and waged war upon his fellow-citizens with all the insolence of an emperor of Rome? Nursing such feelings, his enemies nicknamed him "the American Cæsar," "the stepfather of his country." They wrote long poems describing him as the worst of men.* They went with glee to spike the

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* A few stanzas from one published in the Aurora will serve as a specimen of its class. The subject of the poem is the President's birthday.

"Excisemen, Senators, and army Hectors,
All hail the day in clear or squalid notes,
Place-hunters, too, with lordly Bank directors,
Loud in the general concert swell their throats.

. . . . .

"The splendid Levee, too, in some degree,
Must Cæsar's dignity and power display;
There Courtiers smooth approach with bended knee,
And hoary Senators their homage pay.

"Tho' 'faction most detestable,' most vain,
Hath on Jay's Treaty curses dire conferred—
What! self-created scum! dare you complain,
Or say infallibility hath err'd?

"Dare you (ye swinish herd of infamy)
Against your *country's father* thus transgress—
Who for his Wisdom and Integrity
Doth 'undiminished confidence possess?'

"Against that rock—that adamantine wall—
Ye Sons of Whiskey, aim your blows—
Slanders against great Cæsar's name must fall,
'Like pointless arrows shot from broken bows.'"

Aurora, February 20, 1796.

In one of the Federal poems for the same occasion are these stanzas:

"Now see the Patriot hero rise,
Amidst the horrid din of arms,
His country's dearest rights to prize,
And sacred Freedom keep from harm.

cannon and carry off the sponges his friends had prepared for the celebration of his birth.* They wilfully misconstrued his most innocent acts.†

His silence on the treaty was a mark of contempt for the representatives of the people. He had promised to send it the moment it arrived. This, quite likely, would happen when Mr. Fisher Ames had recovered his health. The subaltern officers had shown too much precipitancy in some of the late skirmishes to be intrusted with the work of the sick chief.‡ Bets, said the Aurora, of three hats to one are offered that the President will not lay a copy before the House ere the fifteenth of May, unless he is asked.# If the bets were made, those who were bold enough to take them won the hats, for, on the second of March, the treaty reached the House. On the third a proclamation appeared declaring it the supreme law of the land. Then the news-writers broke forth. What, wrote one, is our present situation? A treaty has been made with our ancient enemy in an unconstitutional way. After an interval that may well license the most unfavorable conjectures it has come forth from the seraglio, and we now see the monster in all its deformity. It is now submitted to our representatives. What shall be its fate? Let the guardian angel of Liberty pronounce upon it and condemn it. Let the House of Representatives lay a sentence upon it and consign it

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Chorus. "Hail, Columbia, Columbia! hail the morn
A Washington to you was born!

"Firm as the unbroken oak he stands,
And braves the dangers of the fight;
The Guardian Angel of these lands,
And Friend to Man in all his right."

Philadelphia Gazette, March 3, 1796. See, also, A Song for Monday, the 22d February, 1796—America's Political Christmas. Impartial Herald, February 23, 1796.

* Done at Roxbury. Aurora, March 4, 1796.

† Washington was born before the adoption in England of the Gregorian Calendar. He was therefore born on February 11th (O. S.), and this day many of his admirers long persisted in celebrating rather than February 22. So late as 1796 this was done in Fauquier county, Virginia. Virginia Gazette and Winchester Centinel. February 26, 1796. And at Knoxville, in Kentucky. Knoxville Gazette, February 17, 1796.

‡ Aurora, February 2, 1796.

Ibid., February 23, 1796.

to the infamy it deserves. If the treaty becomes the supreme law of the land, what will be the condition of American citizens? Their rights will be at the mercy of the President and the Senate. Citizens! you are on the verge of tyranny. Your Constitution is in danger. Your representatives are being stripped of their powers.* A thousand dollars, said another, to any one who will invent a plausible story to help the treaty through the House. The bugbear of war is quite worn out.†

The prospect of a war had been much dwelt on by the writers and pamphlet-makers of both parties. If, said the Federalists, the money is not voted, there will be war with England. If, said the Republicans, the money is voted, there will surely be war with France. And do the people know what such a war means? Have they stopped to count the cost? War at any time is a dreadful thing. But war at this time, and with Great Britain, is something awful to think of. Those who believe one citizen to be equal to five subjects deny this. They point with honest pride to the late war with England. They draw comparisons between the thirteen poor and feeble colonies of 1775 and the fifteen rich and populous States of 1796, and then ask, Shall five millions of Americans give up the independence three millions won? Do not these fierce warriors know that if they rush into a war they may be forced to give independence up and again become subjects of the English crown? Why will they not see that a contest with England now would bear small resemblance to that glorious struggle which placed it in our power to make the treaty they so heartily despise? Twenty-one years ago England was divided and America united; now England is united and America torn by faction and by party hate. Then Americans were English subjects. Then every wrong of which America complained found friends in the Cabinet, in the Parliament, in the great body of the English people. Do they now? Could Franklin come forth from his grave, would he again be heard at the bar of the House of Lords? Could Chatham once more take his seat among the peers, would he utter one word in defence of the United States? Should the King again send troops to our shores, would they again desert him and take up

* Aurora, March 4, 1796. † Ibid., March 5, 1796.

arms in behalf of the States? The cause in which these men spoke and fought was the cause, not of Americans, but of Britons. Can the present dispute be so regarded? No! The moment the treaty is rejected every English subject will, to a man, step forward ready to sacrifice life and fortune in defence of the Crown. Thousands of troops will come over the border from Canada. A score of ships will ravage our coast. In one week they will do more damage to the United States than the United States could do to England in ten years. Is it in our power to ravage the British Isles? Can we take Jamaica? Can we capture the Bermudas? Can we reduce Canada to a subject province? The Jacobins, the Democrats, say we can. They talk of an army of four hundred thousand men eager to go over the St. Lawrence at once. No doubt twice that number would gather for a field-day; would march and wheel and fire, and go through every exercise of Steuben's manual from Poise firelock! to Shoulder firelock! But would they do so two days running? Would they do so when the play became work? when the muster-field was exchanged for a battle-field? when the training-day became a campaign? Did the Government find it an easy matter to gather fifteen thousand men to put down the insurrection in the West? This, to be sure, was caused by the excise, and the excise was unpopular. Is a second war with England more popular? Are the men whose houses were burned about their ears; who were pillaged, plundered, robbed of their goods; whose hearths were made desolate by the loss of sons, and whose garrets are yet full of bundles of continental notes, are these men anxious for war? Suppose that hatred of England, that love of France, that patriotism, that a score of motives, will send one hundred thousand men into the ranks, they must be clothed and armed and fed. This will cost money. Fifty thousand men, and ten armed ships and ten galleys, all ready for war, will cost our country twenty millions of dollars a year. Will any sober man pretend we can bear such a burden? There is not specie enough in the fifteen States to support the war one month. If we resort to domestic loans, who will lend a sixpence? Shall we try foreign loans? Shall we go to Holland? Shall we go to France, the land of assignats, of requisitions, of the maximum of forced

loans? Here again a fruitful source of help in the late war will be wanting to us in a new one. Not only shall we want that English sympathy to which we owe so much, but the help of France and Holland also. The money-lenders of Amsterdam are broken. The kind king who sent us ships and troops and guineas has long since gone to his heavenly home. He has been murdered by the very men in whose cause, we are told, it is our duty now to fight. Take this advice, and what will happen? Our Union will instantly be rent in twain. On the one side will be the rich men, the men of property, the peaceful men, the men of the North. On the other side will be "the friends to France," the men of the South. A civil war will break out. Our Brissots and our Robespierres will come forth, throw down the Constitution, and mount the throne. Then shall we undergo all these sufferings at the thought of which we cannot now but weep. Then shall we see all those cruelties, all those frightful horrors, that freeze the blood and make us ashamed of our race. Town-meetings will give place to revolutionary tribunals. Civic feasts to festivals to Reason. Our harbors will be dotted with drowning boats. On our squares and commons will be shooting *en masse*. In our streets will be the guillotine. Do we wish for these things? If we do, we have but to second the endeavors of the Gallatins, the Madisons, the Livingstons in the House.

The action of the House began with a motion by Mr. Livingston on the second of March. The late British treaty, he observed, must give rise to grave constitutional questions, to decide which every scrap of information attainable would be required. He would therefore lay upon the table a resolution calling on the President for the instructions given to Mr. Jay, for the correspondence of that Minister, for all the documents, in short, relative to the treaty.* When the motion came up for discussion, he added a few words excepting such papers as

* "*Resolved*, That the President of the United States be requested to lay before this House a copy of the instructions to the Minister of the United States who negotiated the treaty with the King of Great Britain, communicated by his message of the first of March, together with the correspondence and other documents relative to the said treaty."

any existing negotiation might render improper to be disclosed.*

Why, he was asked, is this demand for papers made? A hint is dropped that the question of constitutionality is to be discussed. If this be so, then the motive is a bad one. The constitutionality of the treaty can be settled in one way, and in one way only. Take the instrument in one hand and the Constitution in the other, and compare them. Is the purpose impeachment? Who, then, is to be impeached; the negotiator or the President? The object of this call, was the reply, is information. What use can be made of this information remains to be seen. To say that an impeachment is advisable is now impossible. But when the papers come the step may be necessary. The chief reason, however, is a firm conviction that the House of Representatives has the right, a vested right, to give or withhold their sanction to a treaty.

Every Federalist in the House denied this. Our power, said they, does not go so far. The treaty is negotiated; the Senate has approved; the President has ratified; the ratifications have been exchanged, and a solemn proclamation issued enjoining all men holding office, civil or military, under the United States, to observe and enforce the same. If this be the proclamation of George Washington, the man, then is it worthy of scorn. If this be the proclamation of a despot, taking upon himself the right to dictate to men without their consent, then is it worthy of laughter. If it be the proclamation of a President of the United States, assuming powers not delegated, then have we serious cause for alarm and dread. But it is none of these. It is the voice of the people sounding through their chosen President, and is, in that sense, as heavy as thunder, as majestic as heaven, and to disobey it, treason of the worst kind. Who gainsays that the Constitution is the expression of the will of the great body of the sovereign people? Let us take it, then, as our guide, and see by what authority this treaty has been made. In the second section it declares the executive authority shall be vested in a President; that before assuming this authority he shall take an oath to use it well;

* Monday, March 7. "Excepting such of said papers as any existing negotiation may render improper to be disclosed."

that he shall have power, by and with the advice and consent of the Senate, to make treaties, and that all treaties, when made, shall be the supreme law of the land. Can language be plainer? Is it not clear that the will of the sovereign people fully authorizes the President and Senate to make treaties? and that, if they have kept within the bounds prescribed by the Constitution, the instrument now in question is the supreme law of the land? The work of Mr. Jay is before us. Compare it with the Constitution. See if an article, a sentence, a word, nay, a syllable, is unconstitutional. This we may do of right; but the papers will not aid us in the least. They can be of no use till we attempt to decide whether it was expedient to make a treaty or not, whether it is good or bad, until, in fact, we act the part of judge. Now, have we right to do this? We are told we have. Whence comes it? From the Constitution? No! not one phrase of it intimates such an idea. From the fact that we are representatives of the people? No! we are representatives for particular, not general purposes, have our powers limited and our bounds prescribed. From popular opposition, under the pretext that clamor, begun in discontent, fostered in passion, and strengthened by the intrigues of interested and ambitious men, is the will of the sovereign people? How are the numbers of the malcontents to be found? From inflammatory publications in the newspapers, teeming with invective, and bearing every mark of the heat of passion? Will the petitions on the table help us any? They do not represent the one thousandth part of the nation.

Whatever these petitions represent, was the reply, they call for the action of the House. The House cannot act without light, and light cannot be had without the papers. The question is not a constitutional one. No claim is made to the secrets of the Executive. A simple request is preferred. If the President thinks fit to refuse, he will do so. Then it will be proper to decide as to getting the information willy-nilly. But that is not the question at present. To make the call still less distasteful, Madison now offered a further amendment, which the next day was lost.*

* "Except so much of said papers as, in his judgment, it may not be consistent with the interest of the United States, at this time, to disclose." Ayes, 37; nays, 47.

The House then went into a Committee of the Whole on the State of the Union, the mace was taken down, Mr. Muhlenberg placed in the chair, and the debate went on.

The Federalists took the ground that the treaty-making power is by the Constitution lodged in the President and Senate, that a treaty, when made, is the supreme law of the land, and that the House of Representatives is morally bound to pass, without debate, any law necessary to put it into effect. This, they held, is apparent from the construction placed on the Constitution by the State Conventions that adopted it, by the practice of the Government ever since, and by the popular interpretation at the present time.

The Republicans disclaimed any right of the House to a share in making treaties; but firmly maintained a right to discuss the merits of a treaty when made. In the first place, they argued, treaty-making is a legislative act, and no legislative act is valid if the House does not take part. In the second place, money cannot be drawn from the Treasury except to meet an appropriation made by Congress, and to pledge such an appropriation the President and Senate have no power. In the third place, the powers enumerated in the eighth article of the first section of the Constitution belong to Congress, and not to the treaty-forming power, and among these are the regulation of commerce and the expenditure of money. In the fourth place, the terms "treaty" and "supreme" have been shamefully misused. Much stress has been laid on the words "supreme law of the land." But no heed is given to what goes before or follows after. Construe the Bible so, and we shall all become atheists. In the good book are the words, "There is no God." But when we turn to it, to find out what so shocking an expression means, we read that "The fool hath said in his heart, There is no God." In the Constitution are the words "supreme law of the land." But when we refer to the article where they occur, we read: "This Constitution, the laws of the United States made in pursuance thereof, and all treaties made, or which shall be made, shall be the supreme law of the land." Notice the gradation. First the Constitution, then the laws, and then the treaties made under the laws. Not one, but all of them are supreme. How absurd, then, to insist that the

third in order can be above the second! Yet gentlemen say treaties repeal laws clashing with their provisions. If this be so, if treaties can repeal laws, then laws can repeal the Constitution; for the second (laws) are to the first (Constitution) what the third (treaties) are to the second (laws). Had the clause ended with the words "shall be the supreme law of the land," there might have been some plea for these peculiar doctrines. But this is not the case. The article goes on, "And the Judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding." This boasted supremacy of treaties, then, is over the constitution and laws of the States; not over the Constitution of the United States; not over the powers of this House.*

Just as idle is the belief that, if the House refuses to make the appropriation necessary to carry it into effect, the treaty will be null, the honor of the country tarnished, and that no nation under the sun will ever again make a treaty with a people so unstable. How comes it, then, that some of us are so eager to have any dealings with England? The House of Commons possess this dangerous power. Read the King's speech to Parliament, in which he informs them of the treaty, promises to submit it when ratified, that they may judge of the propriety of carrying it into effect. What! judge of the propriety of making laws to carry it out when ratified! Shall the House of Commons have this power and the House of Representatives not?

The two cases, was the reply, are not alike. England has no written Constitution. We have. The English Constitution is made up of laws and usages. When you prove that Englishmen have a usage of the kind mentioned, that of judging treaties, you have then proved that such is their Constitution. Now, if our Constitution expressed in terms what theirs expresses in usage, no man amongst us would contend for one moment that the House has not the right to question the merits

* The whole debate was reviewed at length in the pamphlet, A Review of the Question, In whom has the Constitution vested the Treaty Power? With Incidental Illustrations; and a Short Discussion of the Right of the House to call on the President, in a late Instance, for Certain Papers. By a Senator of the United States. 1796.

of a treaty. But to construe a written Constitution by citing the practices of a people to whom such an instrument is unknown, is, to say the least, misleading. If we can inquire into the merits of the treaty before providing money to put it into effect, we can do so every time we are called on to pass an appropriation bill, because what is sauce for the goose is sauce for the gander. On this principle, then, it will be proper, when a salary is to be voted to the President, to stop and ask, Is he meritorious? is he the man for the place? does he deserve his pay? Or, again, suppose the salary of a Judge is to be provided for. Are we to go into a long examination as to whether the President and Senate have appointed a fit or an unfit man? So far as the House is concerned, any President constitutionally elected, any Judge constitutionally appointed, is the most proper person. Not till they have done something so shameful that public good requires impeachment can their good or ill qualities be discussed. So with the treaty. We are not asked, Is it a good one? is it a bad one? could a better have been made? But is it a less evil to abandon our national faith, or to execute the document as it stands? Should a man attempt my life, said one speaker, I have a right to kill him for my own preservation. With his moral qualities, with his friendliness or hostility toward me, I have nothing to do; but simply whether self-preservation requires his death. If not, then to kill him is murder, though he be the worst man on earth. If the treaty is so bad as to threaten our national existence, then kill it at once. This is rightful, nay, dutiful. But will the papers, the letters, the instructions, help us to find that out? Indeed, no; that can appear only on the face of the parchment itself.

The argument, said Gallatin, seems to be this: The treaty is either constitutional or unconstitutional. If the former, then the House has no agency in the business but to assist in putting it into operation. If the latter, the fact must be settled from the face of the instrument, and no papers are needed. What do gentlemen mean by a constitutional treaty? Admit their reasoning to be sound, and to make an unconstitutional one is impossible. To construe fairly, not one, but all parts of the Constitution must be considered, else absurdities will surely

arise. One section declares a treaty to be the supreme law of the land; yet it is to be made by the President and Senate. Here, then, is an apparent contradiction, for elsewhere it is provided that the legislative power shall be vested in three branches. Treaty-making cannot be termed an executive act, because it is making a supreme law, and law-framing is a legislative act. How, then, can it be confined to the President and Senate? National compacts, it is insisted, are the supreme law; so are the Constitution and the laws. Which, then, shall have preference? Shall a treaty repeal a law? or a law a treaty? A law cannot, because a treaty is made with another party, a foreign nation, that has no share in our law-making. Nor can a treaty framed by the President and Senate repeal a law, because the House of Representatives must aid in enacting the law, and all sound government requires the same power to repeal as to enact. Hence it follows that laws and treaties are not of the same nature. If a treaty be a law, and the power of making it resides in the President and Senate unlimitedly; in other words, if, in the exercise of this right, the President and Senate are to be checked and restrained by no other branch of Government, the two have but to substitute a foreign nation for the House of Representatives, and legislate as they please; regulate commerce, borrow money, nay, even spend it. For, they might say, the Constitution forbids money to be drawn from the Treasury save in consequence of appropriations made by law; treaties are law; appropriations made by treaty are, therefore, valid.

Madison took the same view. He would not admit the word "treaty" had the limitless meaning claimed for it. The term was technical, and the meaning to be sought in its use. In an absolute monarchy all power centred on the monarch, and the treaty power had no bounds. In a limited government it certainly had. The expression "supreme," again, meant supremacy over State constitutions and laws, but not over the United States Constitution and laws. There were, to his mind, five constructions of the Constitution on this subject. Treaty power and congressional power might be considered as separate and distinct, and never touching each other. They might be regarded as concurrent, and acting together on the

same objects, like the right of Congress and the States to tax the same articles. Each might be supreme over the other, according as it was the last exercised. The treaty power might be viewed as both unlimited in scope and supreme in authority. Or it might be co-operative with the congressional power on subjects submitted by the Constitution to Congress for legislative action. The fourth covered the ground held by the Federalists. The fifth that taken by himself.

The debate had now rambled on for three days, and the House had quite lost sight of the original question. "Shall a call be made for the papers?" had become "Has the House a share in the treaty-making power which the President and the Senate enjoy?" When each party had grown weary of wrangling over the construction placed on the Constitution by the other, they began to examine what had been said on the matter elsewhere. Long extracts were read from the Federalist, from the Federal Farmer, and from the journals of the debates in State Conventions that adopted the Constitution. Why, it was asked, if treaties are not the law of the land, has the House ordered the Clerk to place them in the code of laws of the United States? The President has proclaimed the treaty to be law. If it is not law, why is he not impeached? Why has not the House called for papers regarding the Indian treaties? If the House may break a treaty, why did the people, during the summer and autumn just passed, send scores of petitions to the President begging him not to sign? The debates in the Virginia Convention were read, and heard by the Federalists with keen delight, for Madison had been in the Convention, and had, again and again, there declared treaties to be the supreme law of the land.*

But he would make no such admission in the House. He laid it down as unquestionable that if the treaty-power could, by itself, perform any one act for which the authority of Congress is required by the Constitution, it could perform every

* "Are not treaties the law of the land in England? I will refer you to a book which is in every man's hands, Blackstone's Commentaries; it will inform you that treaties made by the King are to be the supreme law of the land; if they are to have any efficacy, they must be the law of the land. They are so in every country." Speech by Madison.

act for which the assent of that part of the Government is necessary. Congress had power to regulate trade, to declare war, to raise armies, to lay taxes, to borrow and spend money. All these powers are on precisely the same footing in the Constitution. This treaty regulates trade. If, therefore, the President and Senate, to the exclusion of the House, could regulate trade, they could, to the exclusion of the House, declare war, raise armies to carry on the war, and collect money to support the armies. For, by a treaty of alliance with a nation at war, they might make the United States a party to the war, stipulate subsidies, or furnish troops to be sent to Europe, Asia, or the wilds of Africa. There was an express provision, it was true, that no appropriation for the maintenance of an army should be made for more than two years. This was a great security against a standing army. But if, as contended, the House of Representatives cannot deliberate on appropriations pledged by the President and Senate, and cannot refuse them, what hindered a standing army being kept up by provisions in a treaty? The Constitution was one of checks and limitations, and to claim that under such a government, the treaty-making power was omnipotent, was utterly inadmissible.

This, said a Federalist, might be true if treaty-making was a legislative act. But it is not. The law of nations is one thing, and municipal law is another thing. Treaties have to do with the former. Legislatures deal with the latter. Compacts, avowed or understood; customs which rest on the general consent of nations, implied from long usage; treaties which are open declarations of the consent of nations; these make up the law of nations, and, whenever they apply, treaties are supreme. A treaty is not a law, but a compact. Treaties stipulate; a law commands. A treaty may agree that such a duty shall be laid, or such a crime punished, but it cannot lay the duty, nor inflict the punishment. It cannot, therefore, act as a law, nor produce the effect of legislation. It is a compact, nothing but a compact, and in the domain of compacts is supreme. The Legislature cannot make a compact, neither can a treaty pass a law. By the Constitution the President and the Senate may make a compact, and the House cannot interfere. Nor, when

the House undertakes to execute it, can the President and Senate interfere. Power to stipulate does not at all imply power to execute. The two are as distinct as signing a bond and paying it. A man may give a power of attorney to an agent to sign a contract in his name. But can the agent seize and take away the property of the man if the contract is not fulfilled? Whence, then, these alarms about the encroachments of the treaty-making power? Whence these outcries about the overthrow of the authority of the House? Whence these phantoms conjured up to frighten us out of our reason and our common sense? This power is lodged, and very properly lodged, with the Senate, to the exclusion of the House. Treaty-making is an act of sovereignty, the Senate is the only branch of Congress in which State sovereignty is represented; to it, then, belongs this power. While the House holds the purse-strings, while no treaty can produce its effects without a law, and while no law can pass unless the representatives concur, the Senate cannot abuse it, and the liberties of the people are safe.

Two weeks slipped by, and the debate was still going on. Not till the twenty-fourth of March did the Committee divide on Livingston's resolution. Sixty-one were for it, and thirty-eight against. When the yeas and nays were called in the House, one member, who voted No in committee, changed and answered Yes.* Livingston and Gallatin were then sent to carry the resolution to the President. They reported his words to be, "he would take the resolution into consideration."

Washington took a week to consider, and, while he deliberated on the best form of answer to make, the people grew impatient to know what he would do. As the representative of all the People of the United States, he would, the Federalists declared, unquestionably make such answer as became him. They then went on to illustrate the position of the House by an allusion to Shakespeare: "I can call spirits from the vasty deep," said Glendower. "And so can I," said Hotspur, "but will they

* This made the yeas 62, the nays 37, and the absentees 5. For the debate in full, see "Debates in the House of Representatives of the United States during the First Session of the Fourth Congress. Part I. Upon the Constitutional Powers of the House with respect to Treaties." Philadelphia, 1796.

come?" The House, in the plenitude of numbers, might think itself all-powerful. But the people were too well informed to believe everything called for would come.* There were seven stubborn facts for the Democrats to consider. The papers asked for had already been laid before the Senate as the Constitution required. They were upon the file of the Senate. This file was always accessible. Every member of the House knew them to be in the very building where he sat. During the debate a member stated that he had seen them. The more important had already been printed in Randolph's "Vindication."† It had, moreover, in such cases always been the custom of the House to ask the papers of the Senate. When these facts were considered, what should be said of men who spent eighteen days inventing a plausible excuse to demand what they could with the utmost ease obtain in as many hours?‡

The answer of the President to the committee, said the Republicans, is an exact translation of that which the King of France used to make to such petitions of his subjects as he could not, in his wisdom, grant. "*Le roi s'avisera*," was the answer of Louis. "I will consider," was the answer of Washington. One thing was yet to be determined, and that was, whether the two replies had the same import.# It soon appeared that they had. On the thirtieth of March the President made an explicit refusal. Thereupon the House, in a passion, passed two resolutions. One disclaimed the wish to have "any agency in making treaties." The other maintained that, when a call was made on the President for information, the representatives were not bound to state for what purpose it was wanted.‖

By this time three more treaties had been ratified by the Senate, had been sent to the House, and had there been referred to a Committee of the Whole on the State of the Union. The Federalists were now determined that the Speaker should

* Columbian Centinel, April 2, 1796.

† A Vindication of Mr. Randolph's Resignation, 1795.

‡ Ibid., April 9, 1796.

Independent Chronicle, April 7, 1796. The Grand Jury of Middlesex county, New Jersey, expressed their delight to the Court on hearing it. Wood's Newark Gazette, April 13, 1796.

‖ Passed April 7, 1796; yeas 57, nays 35, on each resolution.

leave his seat, and the House go into the Committee of the Whole. The Republicans were equally determined that the Speaker should remain in his place. For several days the moving and voting went on. But the Federalists triumphed. The committee was obtained and a resolution brought in that provision should be made to carry out the treaties lately concluded with Great Britain, with Algiers, with the Indians, and with Spain. That with England was the last taken up, and the only one to provoke long debate. Fourteen days were spent in disputing. Not a member, able to address the House without stammering and blushing, failed to rise and do so. But the speech that was heard with the deepest emotion was made by the Federalist Ames.

Fisher Ames was a native of Dedham, a country village not far from Boston, and the chief town in the shire of Norfolk. Several of his ancestors on his father's side had been men of ability and note. One had been a churchman, had attained fame as a writer of controversial tracts, had taught in the University of Friesland, had sat in the synod of Dort, wrote a book still found in the theological alcoves of ancient libraries, and thought much of coming to New England. His grandfather did come, and for many years prescribed physic and let blood for the people of Bridgewater. His father, Nathaniel Ames, was likewise a physician, kept an inn, and, for thirty-six years, put forth the best Almanac in the thirteen colonies.

In outward appearance, the "Astronomical Diary or Almanac" bore much likeness to the works which, under the name of Almanacs, are now each year put out by the owners of patent bitters and patent pills. The figure of a nude man with fishes and rams, twins and scorpions, about him was wanting, but its place was sometimes taken by a rude cut of the solar system. On the following pages, among prognostications and forecasts of the weather, appeared scraps of history, bits of verse, saws worthy of Solomon, and wit as good as the best of Hieracles. Pope and Dryden, Swift and Addison, Thompson and Milton, were ransacked for apt phrases and timely verses to put at the heads of the pages, above the calendars of the months. Opposite the days, among warnings of snow-storms and thunder-storms and late spring, were sober moral precepts,

or bits of sound advice, conveyed often in the form of jest. A list of post-routes, a table of distances between the chief towns, receipts, and short essays completed the book. Except the Bible, under which it often hung, the Almanac was the most used and the most read book in a New England farm-house. To destroy one was a piece of vandalism of which no child would have been guilty. The numbers were, therefore, suffered to accumulate till, in some homes, they went back in unbroken succession for fifty years. They were the diaries and account-books, the calendars and the journals, the jest-book, the receipt-book, the encyclopædia, the household book of poetry and wit. Down the margins of some, on the blank pages of others, wherever room could be found, were written all manner of notes and comments. One has been preserved for us in which the owner carefully copied all his attempts at verse. The possessor of another made use of his to record the weight of his hogs, the yield of his turnip-patch, who dined with him, who supped with him, who helped him with his work, what took place on training-day, what occurred on election-day, in what a "huff" the "hired help went off"; in short, all the petty events of daily life.

In April of the same year in which the thirtieth number of the Almanac appeared Fisher Ames was born. When he was old enough and well enough he went to the village school. When his stock of knowledge was believed to be equal to that of the master, he studied at home or read Latin with the minister of the village church. When he was twelve he entered Harvard College. This was the year of the Boston massacre, and from that day till he came forth a graduate of the college his attention was divided between his books and a lively interest in the politics of the times. At sixteen he took his degree, and, while casting about for a profession, endured all the hardships of a pedagogue's life. The multitude of professions could not have caused much doubt, for there were at that day believed to be but three—the ministry, medicine, and the law. He chose the law, and for some years copied papers and read books in the office of William Tudor.

The field which then lay before the ablest of lawyers was far less extensive and far less lucrative than at present. Thou-

sands of cases now crowd the dockets which could not then have possibly arisen. No wealthy corporations existed, expending each year in lawyers' fees enough money to have paid the taxes of the four colonies of New England. Patent law and railroad law, the business of banks and insurance companies, express companies, telegraph companies and steamships, have given rise to legal questions of which neither Parsons, nor Tudor, nor Dexter had any conception whatever. A fee of twenty thousand dollars was unknown; a suit involving fifteen millions of dollars was unheard of. Yet the profession was not ill paid, and offered many incentives to bright young men. The law student of that day usually began by offering his services to some lawyer of note, and, if they were accepted, paid a fee of a hundred dollars, and began to read law-books and copy briefs. In the course of two years he was expected to have become familiar with Coke on Littleton, with Woods's Institutes of Civil Law, with Piggot on Conveyances, with Burns's Justices of the Peace, with Hawkins's Pleas of the Crown, with Skalkeld's Reports, with Lillie's Abridgments, and with some work on chancery practice and some work on what would now be called international law. This accomplished, his patron would take him into court, seat him at the lawyers' table, whisper to the gentlemen present, and, with their consent, would rise and ask leave of the Court to present a young man for the oath of an attorney. The Court would ask if the bar consented. The lawyers would then bow. The patron would vouch for the morals and learning of his young friend, and the oath would be administered by the clerk. This done, the new attorney would be introduced to the bar and carried off to the nearest tavern where health and prosperity would be drunk to him in bumpers of strong punch.

When this experience came to Ames the war for independence was fast drawing to a close. The finances of the country were in confusion, the old red money had ceased to pass current, prices had gone up, discontent had become general, and delegates from every part of Massachusetts had gathered at Concord to debate upon their ills. They resolved that the price of clothes and food should be regulated by law, and adjourned. In the fall of 1781 they again met, and with those

who came from the town of Dedham was Fisher Ames. He told the convention, in substance, that the cost of a bushel of potatoes or a sack of corn was something which could not be regulated by the will of a few delegates or by the execution of a rigorous law; that the ills of which they complained were such as always came, sooner or later, to men who could not see any difference between a silver shilling stamped in a die and a paper shilling printed in a press; and that the only cure was a sturdy patriotism and patience hopeful to the last. Thenceforth he was a public man. He furnished political papers to the Independent Chronicle. He sat in the convention that ratified the Constitution, was sent to the General Court, and went to Congress as the first representative of the Suffolk District. The four Houses which had since assembled had not been wanting in orators nor in debaters; but the members of none had listened to so fine a speech as that in which Ames, on the twenty-eighth of April, 1796, supported the motion to appropriate money to carry the hated treaty into effect.

Congress then met in a plain brick building which, greatly altered and somewhat worn by time, still stands in Philadelphia, close to Independence Hall. The chamber of the representatives was upon the ground floor; the Senate occupied the room above.* There no idle spectators were suffered to come, for the Senate always sat with closed doors. In the room below a gallery was provided for the public, and, even when the debates were the dullest, was generally full. From the gallery the spectator looked down upon the House. On a low platform was the Speaker. At his left hand were the reporters, while before him, in three semicircular rows, were the seats of one hundred and four representatives of the fifteen States. The chair of Ames had, during the early part of the session, been empty, for he had now become a prey to that malady which made the remainder of his life one long disease. His health was broken, his spirits were gone. Yet he could not, as the time for voting drew near, keep silent. When he stood

* For a description of the rooms of the Senate and House, see a letter of Theoph. Bradbury to his daughter. Also, the Inaugural Address of J. W. Wallace before the Historical Society of Pennsylvania, pp. 58–65. For a view of the representatives' room, see the caricature of the Lyon-Griswold fight.

up to speak the Republicans claimed a majority of six. When he sat down they hastened to adjourn lest the motion should be carried against them. When the vote was taken, forty-nine were for the resolution and forty-nine against. The casting vote of the chairman sent it from the Committee of the Whole to the House. There, on the thirtieth of April, a resolution declaring it expedient to pass the laws necessary to carry the treaty into effect was agreed to, fifty-one to forty-eight. As the Clerk called the roll for the yeas and nays, one noted Republican did not answer to his name. William Findley, of Pennsylvania, was not in his seat, and was soon called on by his constituents to say why. He had, he stated, stepped out of the House for one moment to attend to a trunk; he wished to send it home to Pittsburg. The stage was about to start, he hurried away to lock the trunk, and, when he returned, the voting was over. His enemies declared the excuse a poor one. Could he not have left the key with a friend? Was he afraid the friend might lift the lid and look in? And if the friend did, what would be seen? French gold?* The Republicans wished most heartily that Mr. Findley had been in the trunk, and the trunk carried out and laid in some quiet cemetery.†

While the matter was still being debated, unmistakable language came up from the people and the press. If, it was said, the House violates the treaty, it will do so by the votes of the members from the southern States. Such a vote must surely be followed by one result, and that is the breaking up of the Union. The men of the North have been over-generous and patient toward the men of the South. They fought the battles of the South in the late war; they fed and clothed the army; they won independence; they gave the South one fourth more representation than it justly deserves, and even now offer to pay the debts of the delinquent southern States. Yet these States are not satisfied. They insist on a violation of national faith. Let this be done, and the people of the North will consider it a throw of the gauntlet; the challenge will be accepted, and they will hasten to rid themselves of a weight that has

* Pittsburg Gazette, July 9, 1796; also, July 16, 1796.

† Ibid., July 16, 1796.

long hung like a millstone about the neck of their prosperity. Alarmed at the near prospect of a war, men of every occupation began to cut down their expenses and to stop taking risks. In a little while business was almost suspended. The insurance companies ceased underwriting. Ships were hauled up. The banks refused to discount. Stocks went down. Produce of every kind found no sale.* From Salem, from Beverly, from Newburyport, from Marblehead and Hingham, from Providence and Hartford, came up memorials signed by hundreds of names, and begging that the treaty should be carried into effect.† One from Baltimore had six hundred signatures.‡ One from Boston was said to have been carried by almost two thousand votes.# Thence it was sent out to all the towns in the State. In some, meetings were called to sign it. In others it was handed about from man to man. In still others the clergy, as the ministers of peace, were urged to stop their societies after divine service and have the memorial signed.‖ Will you, said the Federalists, support Washington or Gallatin? Will you prostrate your General in war and your President in peace, the laws of your country, and the authority of your Senate at the feet of an itinerant Genevan, the prime minister of the Western insurrection, the assuming foreigner whose machinations have cost the country twelve hundred thousand dollars? Or will you support The Man and the Senate?^

Will you, said the Republicans, support your representatives in Congress, or will you throw down all constitutional power and place the whole Government in the hands of twenty-one?◊ If this be your object then sign this royal proclamation, this circular letter of the self-created society at Boston.‡ All the ills set forth in the scriptures as belonging to the day of judgment are promised those who withhold

* Connecticut Courant, April 27, 1796. Massachusetts Mercury, April 29, 1796. Boston Gazette, May 2, 1796.

† Columbian Centinel, April 27, 1796; May 4, 7, 11, 14, 1796. Massachusetts Mercury, April 26, 1796. Gazette of the United States, April 27, 28, 1796.

‡ Massachusetts Mercury, April 29, 1796. # Ibid., April 26, 1796.

‖ Columbian Centinel, April 30, 1796. Independent Chronicle, May 5, 1796.

^ Columbian Centinel, April 30, 1796.

◊ Boston Gazette, April 25, 1796. ‡ Independent Chronicle, May 5, 1796

their hands.* But who are they who sign? Stock-jobbers and land-jobbers, bank-men and placemen, pensioners, aristocrats, and the old Tories we have suffered to live in our midst.† Sign the petition or you will have war, is the language of a certain merchant who figures much as the chairman of public meetings. What! Great Britain declare war at a time when she is on the brink of ruin! When we are the only prop that has so long upheld her! When we have in our banks, in our stocks, in debts due her subjects, hundreds of thousands of dollars! When she may, with perfect impunity, impress as many of our sailors and take as much of our goods as she needs!‡ The man who uttered such a thought was wrong in his head, or had been bribed with British gold. The cry of War! War! had been started to frighten foolish and unthinking men into putting on the treaty yoke. Then, when the merchant finds that his property depends on British lenity; when the young American is crowded from business by British agents; when the farmer finds the fifteen millions due to British merchants must be paid by him; when thousands of suits spring up under the legal impediment clause; when lawyers and not merchants reap the blessings of the treaty; when British influence pervades every quarter of the United States, then, if not till then, will the people understand that they have been duped and brought to ruin by Camillus and his friends.# Did the "friends to order," who were wearing out their shoes bearing memorials about the streets for signatures, really believe that the whole commercial conduct of Britain would change the moment the treaty was declared law? Would she issue no more orders in council? Would she put a stop to the piracies, to the insults, and the injuries so long inflicted on our seamen and our ships? These injuries the New York merchants declared had been greatly overstated. It was not true that fear of impressment had kept sailors from serving in merchant ships. The seamen made no complaints, and, if they were content, why were the printers so ready to complain for them? To make such a declaration, the printers retorted, was quite in accordance with the character of the merchants. They had

* Boston Gazette, May 2, 1796.
† Ibid.
‡ Ibid.
# Independent Chronicle, May 2, 1796.

called the treaty a good one, and men who could say that were capable of saying anything. If the sailors were content, why were the offices of British and American notaries full of their protests? If they were so ready to ship, why had their wages so much increased?* The truth was, the conduct of Great Britain had never been so impudent and shameful as since the framing of the treaty. Scarce a week passed but two or three vessels came into port with seamen missing, and with long tales of insult and abuse.

The charge was a bold one. But, in support of it, the newspapers began to publish every scrap of information that could be collected from the log-books of ships, or the correspondence of their readers. The Rebecca, of Newburyport, had a mate and four hands pressed at Port Royal, Jamaica. The Diana was burned at Martinique. Four more were condemned at St. George's after a mock trial four hours long. Seventeen captains at Jamaica complained of the brutal conduct of a privateer. The Aurora, under the head of British Amity, published accounts of more than one hundred and forty cases of a similar kind. Long after the treaty had ceased to be debated the table of the House continued to be whitened with petitions from far-away country towns. On the fifth of May the people of Pittsburg declared that the treaty was unequal and unconstitutional, that the House had a right to withhold the needed money, and that the earnest wish of the meeting was, that it should.† Two memorials against the treaty came from North Carolina. That from Edenton bore sixteen hundred and eighty-three names, and that from Camden county two hundred and one. The House was then debating the admission of Tennessee to the Union.

That splendid region had been ceded to Congress for the last time in 1792, and then contained a population of thirty-five thousand six hundred and ninety-one. But so many settlers had since come in, and so many farms and settlements had since been laid out, that, when a census was taken in 1795, the freemen of the territory numbered sixty-six thousand five hundred and forty-nine, and the slaves ten thousand seven hundred and thirteen. These were settled on two great areas. One lay

* Argus, April 16, 1796.

† Aurora, May 18, 1796.

along the Cumberland river, with Nashville for the chief town. The other was in the rich mountain valleys through which the Holston winds down to the Tennessee. Between the two lay three hundred miles of wilderness.* Along the narrow trace that joined the settlements the traveller would see a few houses, and meet with a few men. But the men were far from social, and the houses a day's journey apart. If, toward nightfall, he should come upon a lonely cabin, and the owner be at home, he could, for a round sum, † obtain pasturage for his horses, some corn-bread, some butter, and some milk for himself, and leave to sleep on a blanket on the cabin-floor. If the man were away, the women would not admit him to the house on any terms, and he must pass the night hungry in the woods. When he reached Knoxville he would be in the chief city of the territory. There were the most houses. There were the most men. There was the only newspaper, and there, in January, 1796, a convention gathered to frame a constitution for the State. Four months later the Governor had been elected, the Legislature chosen, and the two senators on their way to Philadelphia. The Governor was Citizen John Sevier. William Blount and William Cocke were the senators, and Andrew Jackson the representative sent to the next session of Congress. On the fourth of May, Sevier, in the presence of both Houses, took the oath of office. ‡

The Federalists, however, were not disposed to admit the State at once. The presidential election was close at hand. Tennessee was strongly Republican, and to make it the sixteenth State would therefore be adding three Republican votes to the electoral college. But they could not command a majority, and, on the last day of the session, the bill admitting the State was passed. This was the first of June, and on the first of June the British were, under the hated treaty of Mr. Jay, to surrender the frontier posts.

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* "This wilderness properly commences about sixty-two miles from Nashville, though the *whole of that distance* is scarcely better than a wilderness after you proceed about half a dozen miles from the town." Journal of a Tour in Unsettled Parts of North America in 1796 and 1797. Bailey, pp. 415, 416.

† ". . . The idea of their being hospitable and doing a kindness to strangers for *nothing* is false." Ibid., p. 416.

‡ Aurora, May 7, 1796.

Detroit alone was worthy to be called a town. The place was founded in 1683, and, except in population, had never taken one step forward since the first hut was put up on the straits. The inhabitants were believed to number three thousand. In language and customs they were French. In religion they were Roman Catholics. In knowledge of the affairs of the world they were extremely ignorant. For a hundred years the farms of precisely the same size had been kept in the same families, and cultivated with the same kind of implements in the same way. The house of each farmer was close to the road, and the road was close to the water's edge. Near each house was an orchard, and in each orchard the same kind of fruit-trees were to be seen. Year after year the same crops were raised in the same succession. When a patch of land became exhausted it was suffered to lie fallow. Of the value of manure the farmers knew nothing, and wantonly flung the yield of the barn-yard into the waters of the straits. To go to church regularly, to perform their religious duties strictly, to fast, to confess, and to pay their tithes to the priest promptly, was with them the chief duty of man. The priest was the one being on earth to whom they looked up with mingled love and awe. He was their spiritual and their temporal guide. He healed all quarrels and adjusted all disputes. With courts and judges, lawyers and juries, they would have nothing to do. Indeed, the first appearance of such among them was the occasion of an outburst of indignation which was with difficulty soothed. Many resolved to dwell no longer in a land where life and property were at the disposal of godless men, gathered their goods and went over the border to the Canadian side. The town proper was made up of the fort, the battery, and a collection of ugly houses surrounded by a high stockade. The streets were a rod wide, and the inhabitants chiefly engaged in the fur trade. A few went out to the trapping grounds themselves. Others sent out Pawnee Indians whom they had purchased and made slaves.*

* Notes on the Early Settlement of the Northwestern Territory. Jacob Burnet, pp. 281–285. A Topographical Description of Virginia, Pennsylvania, Maryland, and North Carolina, etc., etc. By Thomas Hutchins, Captain in the Sixtieth Regiment of Foot.

But, while the British were quitting the posts upon the frontier, the forts and towns upon the Mississippi were still held by Spain. After fifteen years of fruitless negotiation, a treaty with his Catholic Majesty had at last been made. In it, among rules for the government of neutrals, and promises to discountenance Indian aggressions and the fitting out of privateers, were concessions for which the United States had long sought in vain. The Mississippi was to be opened. New Orleans was made a port of deposit for three years. The thirty-first degree of latitude was declared part of the boundary of the United States upon the south. But even this excellent treaty seemed, for a time, likely to fail. The work of John Jay had given much offence to Spain. It had, she claimed, done her grievous wrong, and, till this wrong was righted, she would not give up the garrisoned towns upon the river, nor run out the boundary line which separated her possessions from the possessions of the United States. When this was known, men of both parties were greatly enraged. Is there, exclaimed the Republicans, is there to be no end to the miseries brought down upon our country by this shameful treaty of Grenville and Jay? Is every man's hand against us? Are we to be involved in war with every nation of the earth in order that we may pay fifteen millions of dollars to British factors, and go to the Indies in seventy-ton ships? The Federalists insisted with much truth that the behavior of Spain had been dictated by the Directory of France.

The acts of the Republic had long ceased to be friendly, and were soon to become insulting. On the fifteenth of February Monroe had been informed of the three resolutions of the Directory of France. Adet was to be recalled, the treaty with the United States was at an end, and a minister was soon to be sent over to make a formal declaration of the many grievances of France. The next day Monroe asked to be heard. He assured the Minister of Foreign Affairs that nothing but evil could come of the mission. It would be misunderstood in America. The hope of making it brilliant would lead to excessive demands by France. Foreign nations would no sooner hear of it than they would start intrigues to draw the two republics farther and farther apart.

It would destroy that good will toward France which her generous policy toward American merchantmen had begun to produce.*

The reply of the French Minister was cold and brief. There were many causes of complaint against the United States. The treaty with England was but one of them. It had destroyed the treaty with France. Thinking the conduct of America unfriendly, the Directory felt in duty bound to say so. The mode of making this statement had been deemed mild and respectful. He would, however, make known to the Directory what Monroe had said.† Three weeks later Monroe appeared before the Directory in council assembled, asked them to have the complaints laid before him, the Minister of Foreign Affairs bidden to receive his reply, and that, meanwhile, the envoy should not be sent. ‡ The request was granted, and in four days a copy of the complaints was in his hands.# They were three in number. The treaties with France had not been carried out. The insult to Fauchet by Captain Home of the Africa had not been atoned. A treaty had been made with England sacrificing an ancient connection with France and the least contested neutral rights. Monroe strove hard to remove each one, ‖ but to his reply the French gave little heed. Though the letter was written on the fifteenth of March, no notice was taken of it till the seventh of July.^ The hope of seeing the minister depart for America had, he was told, caused the delay. ◊ For a while Monroe was left to wonder who this minister would be. When he heard the man was Mangourit, he protested with vigor. Mangourit had once been Consul at Charleston, had there given great offence to the Government, had gone back to France, and was now filling the petty place of secretary to the embassy at the Court of Spain. ‡ Once more the Directory gave way, withdrew the appointment of Mangourit, ↕ recalled Adet, and bade him, ere he left, declare to the United States that the

* No. xxix, Monroe's View, pp. 312, 313.
† Ibid., p. 313.
‡ No. xxxi, Monroe's View, pp. 316, 317.
# Ibid., No. xxxii, pp. 321–324.
‖ Ibid., No. xxxii.
^ Ibid., No. xxxvi.
◊ Ibid.
‡ Ibid., No. xxxvii.
↕ Ibid., No. xxxviii.

ancient treaty of alliance with France was at an end.* When Adet received his instructions the presidential election was near at hand.

For the first time in the history of our country the office of President was open to competition. Twice had Washington been chosen by the unanimous vote of the electoral college, and twice inaugurated with the warmest approbation of the whole people. But the times had greatly changed. In 1789 and 1792 every man was for him. In 1796, in every town and city of the land were men who denounced him as an aristocrat, as a monocrat, as an Anglomaniac, and who never mentioned his name without rage in their hearts and curses on their lips. Yet, much as his popularity had suffered, it was still great and powerful, and thousands of men in the Republican party would gladly have seen him seated for a third term in the presidential chair. But he would not, and, on the seventeenth of September, made public his farewell address.

Had it been a second proclamation of neutrality, or an open declaration of war against the French, it could not have provoked more angry and ill-timed replies. His character, said one, having been founded on false appearances, can only be respectable while it is not known. His temper is arbitrary. His disposition is avaricious. He has a great passion for being seen. Without any skill as a soldier he has crept into fame by the places he has held and by the success of the cause he espoused. Nor will the schemes of finance he has favored add much to his renown. If it be a merit to have laid a tax that raised an insurrection, then he shares it with the British ministers who provoked the Revolutionary War. If it be a merit to have burdened the many to enrich the few, then he shares it with that infatuated monarch who brought about the present state of France. If it be a merit to have bound the American aristocracy to its Government by a large and everlasting debt, then he shares it with that British monarch who drove the Stuarts from their throne. History will yet tear the page devoted to his praise. It was France and his country that, in defiance of England, gave him fame, and it is France and his country that will, in defiance of England, take that

* Monroe's View, No. xxxix.

fame away.* Once his conduct had been guided by candor. Of late he had sadly departed from that wise course. He had refused to the representatives of the people the papers they had a right to see. From that moment the brightness of his countenance faded. The glory that once shone round him dissolved in mist. The enemies of liberty and his country claimed him as their own, and the name of Washington sank from the high level of Solon and Lycurgus to the mean rank of a Dutch stadtholder, or the insignificance of a Venetian doge. Posterity would look in vain for any marks of wisdom in his administration. They would, instead, behold a funding system, the worst of all diseases that ever inflict a State. They would see an excise arming freemen against their fellow-men, and they would say the great champion of American Liberty retained the barbarous usages of the feudal system by keeping men in livery, and, twenty years after the founding of the Republic, still owned five hundred slaves.†

One passage of the address gave especial offence. "'Tis our true policy," wrote the President, "to steer clear of permanent alliances with any portion of the foreign world." What did this mean? Why were the United States on a sudden cautioned not to extend their connections with European powers? The reason was plain. Washington had lately forced the United States into a treaty with Great Britain. The treaty gave great privileges to England, and now, lest similar concessions should be granted to France, he would have all political connections with Europe close. ‡ Even when his successor had been chosen, the meanest of all motives was declared to be the cause of the farewell address. His refusal to be a third time a candidate was said to spring from a knowledge that he would not be elected, not from a want of ambition nor lust of power. Many Republicans, as he well knew, were determined to give him opposition, and the nature of the Government

* Remarks occasioned by the late conduct of Mr. Washington as President of the United States, 1797.

† A Letter to George Washington, President of the United States, containing Strictures on his Address of the 17th September, 1796, notifying his Relinquishment of the Presidential Office. Jasper Dwight, 1796. Dwight was Duane, afterward of the Aurora. See A Word to Federalists and to those who love the Memory of Washington, p. 11.

‡ Argus, October 10, 1796.

promised success to the plan. Nothing would have been easier than to have made him Vice-President. The Republicans had but to unite on Adams, and the thing was done. Washington knew this, and, to save himself the shame of being superseded, cunningly resigned. Adams had been objected to as an aristocrat. He was so only in theory; Washington was one in practice. Adams had the simplicity of a Republican, but Washington had the ostentation of an Eastern pashaw.*

When, however, it was known that Washington would not serve again, the merits of a number of candidates were urged and discussed. Some were for Hamilton. Some were for Patrick Henry. Some declared the fittest man for the place was John Jay.† No one was formally named, for the Constitution was still construed according to the letter, and the electoral college made the choice. Few of the electors were pledged, and the election was not determined till the day whereon they met. The canvassing, the lampooning, the handbilling, therefore, did not end in November, but went on with increasing virulence till the January morning when the electors cast their votes. Long ere that time it was quite clear that John Adams and Thomas Jefferson were the two between whom the contest for the Presidency lay.

And who, it was asked, is John Adams? Did anybody ever hear of him till seven citizens of Boston were massacred by the British? Every one of the murderers deserved to have been dragged to the nearest gallows and hanged. But they were not, and only eight of them, with a captain named Preston, were seized and put on trial. Though the whole town of Boston was explored but two lawyers could be found hardy enough to defend them, and John Adams of Braintree was one. A hundred guineas, a sight Adams had never seen in his life before, dazed him. He took the case and Preston was acquitted. To destroy the odium of this act, Adams at once became a violent patriot, deluded the people as he had deluded the Court, and Massachusetts sent him to

* Columbian Centinel, December 31, 1796. Aurora, December, 1796.

† President II. Being observations on the late official address of George Washington; designed to promote the interest of a certain candidate for the Executive, and to explode the pretension of others. 1796.

Congress, and Congress sent him to France. There he was the butt of ridicule. The wits called him Crispin, because he was the son of a shoemaker. Many a night "*Ne sutor ultra crepidam*" was written on the panels of his coach. Was such a man to be made chief magistrate of America? From France he was sent to Holland, and from Holland to London, where he wrote a book,* and in the book proved himself the advocate of kingly government. He would have a titled nobility to form an upper House and keep down the swinish multitude under their feet. He would deprive the people of a voice in the election of their President and Senate, and make both hereditary. Did a free people want this champion of kings and ranks and titles to be their President? He surely would be, unless, on the fourth day of November, they turned out and by their votes called forth Thomas Jefferson, the friend of the people, a Republican in principles and in manners.† He alone could reconcile contending factions. He combined in his character every requisite quality for the Presidency. He was firm, intrepid, consistent, and possessed of an unyielding love of liberty. No man could boast of a stronger love of politics. No man was better versed in systems of government.‡

"Hampden" held him worthy to be President because he was a philosopher; because he was a Republican; because he was a friend to the civil and religious rights of man; because, as a citizen, he favored the Constitution with amendments, admired the Revolution in France, had a proper sense of the perfidious behavior of Great Britain, was rich, and displayed diplomatic talents and political sagacity of the highest kind.

Why, it was asked, should a philosopher be made President? Is not the active, anxious, and responsible station of the Executive illy suited to the calm, retired, and exploring tastes of a natural philosopher? Ability to impale butterflies and contrive turn-about chairs may entitle one to a college professorship, but it no more constitutes a claim to the Presidency than the genius of Cox, the great bridge-builder,

* Argus, November 1, 1796.

† Ibid. "An Alarm." Also Aurora, October 29, 1796.

‡ President II, p. 15.

or the feats of Ricketts, the famous equestrian. Do not the pages of history teem with evidences of the ignorance and mismanagement of philosophical politicians? John Locke was a philosopher, and framed a constitution for the colony of Carolina; but so full was it of whimsies that it had to be thrown aside. Condorcet, in 1793, made a constitution for France; but it contained more absurdities than were ever before piled up in a system of government, and was not even tried. Rittenhouse was another philosopher; but the only proof he gave of political talents was suffering himself to be wheedled into the presidency of the Democratic Society of Philadelphia. But, suppose that the title of philosopher is a good claim to the Presidency, what claim has Thomas Jefferson to the title of philosopher? Why, forsooth! he has refuted Moses, disproved the story of the Deluge, made a penal code, drawn up a report on weights and measures, and speculated profoundly on the primary causes of the difference between the whites and blacks. Think of such a man as President! Think of a foreign minister surprising him in the act of anatomizing the kidneys and glands of an African to find out why the negro is black, and odoriferous! What respect will an officer of Government have for an Executive who, when visited for instructions, is busy inventing a whirligig-chair?

Another claim, say his admirers, is an attachment to civil and religious liberty. How should a man show his attachment to civil liberty? By prating and writing about it in times of peace, or by stoutly defending it in times of danger? Any poltroon can, in the quiet of his cabinet, compose fine essays on civil rights. But the men who will labor for them, battle for them, if need be, die for them, are few, and Thomas Jefferson is not of the number. When Tarleton, with a few light-horse, chased the Virginia Assembly to Charlottesville, a fine opportunity opened before Jefferson for the display of public spirit. Did he use it? Though Governor of the State, he basely fled before the foe, resigned office, and, at the very crisis of their fate, left the people to choose a ruler in his stead. Again, in 1793, when the peace and tranquillity of the United States were in peril, when Englishmen and Frenchmen and Spaniards plundered us and insulted us, when the

war-cloud grew darker each day, did he not abandon his post and slink away to a snug retreat?

Much praise is given him for the act establishing religious liberty in Virginia. But he deserves it not. What credit is it to a man to be tolerant of all religions who believes in none? What he is striving for is not freedom of, but freedom from, religious worship. "It does me no injury," he thinks, "for my neighbor to say there are twenty Gods or no God; it neither picks my pocket nor breaks my leg." Is this the man we are to put in the place of the virtuous Washington? Citizen Fauchet, the philosophers, and the Jacobins will say he is.

These men will have it that Jefferson is and was a friend to the Constitution and the Government. Why, then, did he urge a second Constitutional Convention to undo and mend the work of the first? Why did he hope the "nine first conventions may receive, and the four last reject." Why did he hire Philip Freneau to vilify the Government, traduce the administration, and misrepresent the best acts of Washington? When Genet was defying our President and our laws, what did Jefferson's translating clerk write, a clerk then living on Government pay? "The Minister of France, I hope, will act with firmness and with spirit; the people are his friends, or the friends of France, and he will have nothing to apprehend; for, as yet, the people are the sovereign of the United States. If one of the leading features of our Government is pusillanimity, when the British Lion shows his teeth let France and her Minister act as becomes the dignity and justice of her cause, and the honor and faith of nations." * Had Jefferson not been conniving at the misconduct of Genet, that article had been Freneau's last. Lift him to the Presidency, and one of two things must happen. America will be debased by a whimsical, feeble, unstable administration, or prostrated at the feet of France.†

In New England the claims of Jefferson were stoutly sup-

* National Gazette, July 10, 1793.

† See The Pretensions of Thomas Jefferson to the Presidency Examined; and the Charges against John Adams Refuted. Part I, October, 1796. Part II, November, 1796. Adams was further defended in A Brief Consideration of the Important Services and Distinguished Virtues and Talents which recommend Mr Adams for the Presidency of the United States. Boston, 1796.

ported by the Independent Chronicle of Boston. Men of every occupation were in turn addressed. Tradesmen were asked to remember that on election-day a certain class of people thought them a very respectable body of men. But on commencement-day the same aristocrats held them of little consequence, and ordered them into the kitchen "by way of a cooler." * Tom Bowling pleaded with the sailors.† What, the merchants and farmers were asked, has Adams done to show his knowledge of the commerce and the agriculture of the land? He has written much. Yet what one of his compositions is designed to give vigor and energy to these important branches of industry? Jefferson had, on the contrary, given unquestionable proof that the advancement of commerce and farming would be the leading object of his administration.‡ To draw a comparison between the two would be easy. One had moved the Declaration of Independence. The other had drawn it up. Both had good moral characters. Both had been ministers to foreign courts. Both had written books. Jefferson's marked him off as one of the most useful observers of the age. Adams's production was a showing of his aristocratic tastes. Both had children. Adams had sons. These, placed in high office, were no doubt the "well-born," who, following their father's principles, would one day become lords and seigniors of the land. Jefferson had daughters, and, did he wish it, had no successor. Adams hated the French Revolution. Jefferson, by his advice, had helped on the first steps taken in that wonderfully important work.# Elect Jefferson, and the French will be conciliated at once, for they know him to have a leaning in their favor. Elect Jefferson, and the mass of the people will be powerfully drawn to the Government, for they believe he has a leaning toward Republican equality. ‖ Adams was said to be attached to the policy of Washington. The people would believe this when it was proved. Till then they could not but remember the time when Adams was not attached to the policy of Washington, and when, in a day of great gloom for the Republic, he joined a faction and strove

* Independent Chronicle, November 7, 1796.
† Ibid., November 3, 1796.
‡ Ibid., October 31, 1796.
# Ibid., October 31, 1796.
‖ Aurora, November 5, 1796.

to pull down General Washington and raise up another to the supreme command. This the Federalists declared was a malicious falsehood. It was Samuel Adams who joined the faction. It was John Adams who sat up two whole nights to dissuade John Hancock and Samuel Adams from opposing the appointment of Washington to the chief command of the troops.*

What the Vice-President was, said the Republicans, is not the question. We must judge him by what he is. He was a Republican. He is a monarchist, a lover of titles. The terms "well-born" and "canaille multitude" can only apply to a monarchy or a government of an aristocratic kind. That Adams believes in these classes is evident from his books. The only question, then, is, Will the people support such a man? Will they raise to the highest post in the Republic a man who, in his avowed principles, believes the honors should fall to the well-born, and the hewing of wood and the drawing of water to the canaille multitude? †

Voters were reminded by the Federalists that this dangerous book had been written in 1786, and much read and abused. Yet Adams had been elected Vice-President in 1789. Adams's book had been brought forward against him in 1792, when the present friends of Jefferson set up Clinton as their man. Every slander and libel now charged against him was then published from New Hamsphire to Georgia. The cry of aristocracy and monarchy was as loud then as now. Yet the people a second time chose him for their Vice-President. Did any sober man, any man whose head was right, really suppose the people of the United States would have twice lifted to so high a place a friend of kings? Did any one think the people would heed the old charges newly made to serve a party purpose? ‡ If he were so infamous a character, why were such extraordinary efforts made in Jefferson's behalf? Why were so many handbills in circulation vilifying Adams? # They were nowhere so plentiful as in Pennsylvania. There, the people were assured, handbills and post-bills, pocket-bills and broadsides to

* New York Gazette, December 2, 1796. † Aurora, October 29, 1796.
‡ New York Gazette and General Advertiser, November 18, 1796.
# Gazette of the United States, October 26 and 28, 1796.

the value of one hundred thousand dollars had been sent off. The trees along every road, the gate-posts, and the door-posts of every farm-house in the State were declared to be white with posters slandering the President and heaping abuse on the Government of the United States. For this the Democratic Clubs were responsible. Two years before they hated the excise, and, to overthrow it, printed inflammatory addresses, nailed them on the trees, scattered them along the roads and flung them into every tavern in the Western country. Now they hate John Adams, and, to defeat him, once more take up their old tricks. Will the people of Pennsylvania be influenced in their choice by the Democratic Clubs of the Capital, the founders of the Western insurrection? If the Republican ticket is chosen, who will govern the country? Mr. Jefferson? Alas, no! the Democratic Clubs.*

Copies of one of the handbills of which the Federalists so bitterly complained went out from Philadelphia by express, and were soon scattered over the whole county of Luzerne. They had been carefully prepared for use in that region, for there the old feud with the New England settlers had not become extinct. It was a solemn truth, readers were informed, that New England men, high in office under the Federal Government, had been, and were, deeply concerned in a wicked scheme to strip Pennsylvania of millions of acres of land. This should be remembered. For these same Federalists, these same New England men who had long supported insurrection and forcible intrusion on the soil of Pennsylvania, who would gladly have put to death any Pennsylvanian who stood between them and their aims, who were ready, in a most lawless manner, to make half the territory of the State a dependency on New England, were now asking the men they had so deeply wronged to help make a citizen of New England President of the United States.†

This violence cost the Republicans dear. As men of both parties read the document in the post-offices and the taverns

* Gazette of the United States, October 29, 1796. See, also, ibid., October 31, 1796.

† American Annual Register, or Historical Memoirs of the United States for the Year 1796, p. 90.

they pronounced it to be libellous, indecent, insulting to the understanding of the freemen of the State.* Many who, had the bill never been seen, would gladly have voted for Jefferson, went on election-day and cast their ballots for the Federal party. When the returns for Luzerne were all in, Jefferson was found to have eight votes, Adams four hundred and seven. The State was Federal. Angry at their defeat, the Republicans raised the cry of fraud. In one district of Alleghany county, they asserted, every ballot cast had been for Thomas Jefferson. When the election was over the judge had gone with the returns, a hundred votes in all, to Pittsburg; but the other district judges had not arrived. While he was waiting for them, a resident of the town approached him, offering to take charge of the returns and give them to the judges when they came. The offer was accepted, and the unsuspecting judge went on his way. He was scarce out of sight when the vile aristocrat destroyed the returns,† and a hundred votes were lost to the Jefferson ticket.

Something was wrong in Lancaster county. The townships of Strasburg and Lampeter could give some seventy votes. In the late election they actually gave between five and six hundred, or three less than the whole number of taxable inhabitants.‡ Still worse was the case of one William Brown, of the same county. The returns declared that he had not received one vote. The Governor was amazed, sent for the boxes, and received in reply an acknowledgment from the judges that Brown had six hundred and eighteen.# Much the same thing took place in Bucks county. The returns showed that all the votes had been cast for John Edgar, who was a Federalist, and none for James, who was a Republican. Again the Governor demanded the boxes. One came, and not a ballot in it was given for John. How did it happen that all these mistakes were on the Federal side? which was, as every one knew, the side of the "friends to order and good government."‖ A cunning postmaster held back the Greene county mail till the poll at Philadelphia was closed. This gave John Adams an-

* Luzerne Gazette, November 1, 1796. American Annual Register, 1796, p. 108. † Aurora, December 6, 1796.

‡ Aurora, December 2, 1796. # Argus, November 20, 1796. ‖ Ibid.

other elector. In Maryland another was gained by the folly of one who wrote on his ballot the names of Jefferson and Adams. In the same State the man from Braintree got two more electoral votes by trickery. The counties of Washington and Alleghany made the Western District of Maryland. Each had a separate poll, but the votes of the two together determined the choice of an elector. Washington was strongly Republican, and there an honest poll was made. Alleghany was strongly Federal, and there the fraud took place. Votes were brought over the border from Pennsylvania and Virginia, and, when the returns from the two counties were summed up, the Federalists had a majority of four.* How many British guineas had been deposited at Shippensburg to keep back the Pittsburg mail? Could any one tell how many had been given in Alleghany county for suppressing the returns? Did any one know how many had been scattered over the two adjoining counties to produce such extraordinary polls? How many had fallen to the lot of a certain lean and hungry figure for contributing falsehoods and scurrility to a well-known Gazette? How many went to the writers of anonymous letters? How many to cunning knaves for thrusting them under the Governor's door? How many, in a word, had been used for spreading lies against Jefferson, far and near?†

The Federalists in turn demanded to know the meaning of the cry "Liberty, equality, and no king," that had been heard

* The Republican manner of counting was well stated by John Wood. "The total number of electors was one hundred and thirty-eight. . . . Each of these voted either for Mr. Jefferson or Mr. Adams. But Platner voted for both. Hence, instead of one hundred and thirty-eight, the suffrage came to one more; . . . thus they mounted up to one hundred and thirty-nine. Of these, Mr. Adams had seventy-one and Mr. Jefferson sixty-eight. Laying aside the Maryland vote of Platner, Mr. Adams will then have seventy and Mr. Jefferson sixty-seven. . . . Returning to Mr. Jefferson the Greene county vote in Pennsylvania, and striking out the spurious vote in the Western District of Maryland, will make an odds of two votes. . . . Abstract these two from the majority of seventy, and then Mr. Adams has only sixty-eight. Then add these two to the sixty-seven of Mr. Jefferson, and he is President by a majority of one." History of the Administration of John Adams. By John Wood, pp. 13, 14. See Callendar's The Prospect before Us, vol. i, pp. 24, 25, from which Wood's account is copied.

† Aurora, December 9, 1796.

so often at the polls.* It sounded like a French cry. Could M. Adet have suggested it?

The question was not ill timed, for the French Minister had done all that he could to help on the Republican cause. In three weeks' time he furnished his party with the four most remarkable documents of the campaign. His purpose was to hold up the prospect of a French war, and then remind the people that, by the election of Jefferson, the evils of such a war could be averted. His plan was to write an official note to the Secretary of State; and, while one copy went to the office of Pickering, send another to the Aurora. The first of the series communicated a decree of the French Directory, that the flag of the Republic would treat the ships of neutrals, as to confiscation, search, and capture, in precisely the same manner as they suffered themselves to be treated by the English. The second was addressed to Frenchmen dwelling in the United States, and urged them in bombastic terms to instantly mount and wear the tricolor cockade. They did so, and among them might any day have been seen men who had never in their lives been beyond the boundaries of the sixteen States, and who could not possibly have pronounced correctly two words of the French tongue. The cockade became, in fine, the badge of Mr. Jefferson's friends. Ten days later Adet, in a third note, informed his countrymen that he was no longer Minister to the United States. The fourth in profusion and folly exceeded them all. This, too, was for the eye of the Secretary of State; but no man who read it failed to see that it was, in reality, intended for the people. Such was the length of it that the printer of the Aurora declared he could not spare the space to print it in full. Yet he felt sure that if the people read a part, they could have no peace till they read all. He would therefore give a sketch of the whole. Adet lamented the hardship of exchanging the language of friendship for the language of reproach, made known the determination of his Government, "terrible to its enemies, but generous to its allies," demanded the fulfilment of that treaty which assured to the United States existence as a nation, complained of the circular letter to the Collector in August, 1793, of the act

* Gazette of the United States, November 8, 1796.

legalizing the measure in June, 1794, of the interference of the courts with the captures of French privateers, and, before he closed, praised the sentiments of Jefferson by name. Had the document been composed by an ordinary official in a business-like way, its tediousness would have been greater than its length. But Adet composed it, and lavished on it all the graces of that sentimental rhetoric which can only be described as French. He told of "the sweet sentiment" that "mingled itself with a proud sentiment" when Frenchmen beheld all Europe in arms against them; of the longing with which they turned to America, and "braved the tempests of the ocean" to see the land where the flag of France had first been displayed in the cause of freedom; of the "tender tears that trickled from each eye" as Barney carried the Stars and Stripes into the Chamber of the Senate of France, and of the affecting scene of the American farmer turning up, with the plough, the bones of his countrymen slaughtered by British hirelings.

The Federalists were not at a loss to understand its purpose. They demanded to know how the Aurora came into possession of the letter before it had been translated in the Department of State; they denounced the publication as an electioneering movement, and the four notes, with a running commentary by Cobbett, were soon for sale at the Federal bookshops under the name of the Gros Mousqueton Diplomatique.* But it would not change a single vote. M. Adet ought to have learned something from his betters. The first apostle of the Republic to come to America was Genet. He began by publicly preaching peace and privately distributing commissions of war. For a time all went well. But in a fit of anger he fell out with the President, and threatened an appeal to the people. This blasted him in a moment. The cloven foot was out. He was taken away, with many expressions of sorrow, and Fauchet, who understood the game of whist, put in his place. He took precious confessions and dispersed *Dei gratias*, and in turn was called home to France. Then came M. Adet; but he, at a single stroke, has ruined the

* The Gros Mousqueton Diplomatique; or, Diplomatic Blunderbus, containing Citizen Adet's Notes to the Secretary of State, as also his Cockade Proclamation. With a Preface by Peter Porcupine, November, 1796.

whole business. Nothing would do but he must bring the name of Mr. Jefferson into his address. This discovers the real purpose of it. And now there is not one elector east of the Delaware river who would not sooner be shot than vote for Thomas Jefferson.*

The statement was correct, and, when the Electoral Colleges met, in every State north of Pennsylvania the electors cast their votes on the Federal side. In that great State the law provided for a choice by a general ticket. The Republicans were for a choice by districts. But the Federalists refused. The note of Adet came out, and so many Quakers, it was said, alarmed at the near prospect of a war with France, supported the Jefferson ticket, that but one Federal elector appeared on the list. Had the letter of the law been strictly obeyed, Federalists would have been chosen. Fourteen days were allowed for the returns to come in from the most distant part of the States. The Governor was then to make known the result. But fraud was busy. The returns from strongly Republican districts were kept back, and Governor Mifflin, believing the law applied to the judges and not to himself, wisely made no declaration till every return had come in.

Six weeks were still to go by before the electors met. That they were not weeks of bitterness to Washington was no fault of the Republicans. Now that his work was done, the best among them were not ashamed to malign it. Such occasions as were offered by his address, his message, his way of life, by the bills he signed, and the men he placed in power, were thought too few. One libeller took great pains to prove that the President had once committed murder. Benjamin Franklin Bache reprinted a series of letters which many years before had been forged and published under Washington's name. When Fort Lee surrendered, a mulatto servant of General Washington, the editor said, fell into the hands of the British. With him came a portmanteau, and in the portmanteau were seven letters. Some were addressed to Mr. Lund Washington, some to John Parke Custis, and one to Mrs. Washington. In them he was represented as looking on

* Connecticut Courant, November 14, 1796. Massachusetts Spy, November 23, 1796.

the cause of the colonies as hopeless and lost. Both the story and the letters were false. The servant had never for a moment been in British hands. Not one of the letters had come from the General's pen. Yet now, after nineteen years of oblivion, the slander was again spread before the country. He was deeply hurt, and, as the fourth of March approached, drew up and placed in the hands of the Secretary of State a solemn declaration that not one of the letters was his. Meantime a more illustrious pamphleteer attacked him.

In April, 1787, Thomas Paine gathered his goods and sailed for England. There he produced the Rights of Man, fled to France, was made a citizen, and chosen to a seat in the National Convention. From the Convention he was expelled by the influence of Robespierre, was thrown into the Luxembourg prison, was in time reclaimed by Monroe, and had, under the roof of the American Minister, found shelter and food. While there the farewell address of the President fell in his way, and he made all haste to answer it in a pamphlet letter. The character which Mr. Washington had attempted to act in the world was, in the opinion of Paine, "a sort of non-describable, chameleon-colored thing called prudence." Prudence was in many cases a substitute for principle. It was so nearly allied to hypocrisy that it "easily slid into it." Once in the presidential office, the natural ingratitude of his character appeared. He assumed the merit of everything to himself; swallowed the grossest adulation; travelled America from end to end to put himself in the way of receiving it; had in his chest as many addresses as James II, and had supported monopolies of every kind from the moment his administration began. But the gist of the whole letter was given in one short sentence: "And as for you, sir, treacherous in private friendship (for so you have been to me, and that in the day of danger), and a hypocrite in public life, the world will be puzzled to decide whether you are an apostate or an impostor; whether you have abandoned good principles or whether you ever had any." * Washington had not exerted himself to have Paine set free.

* Letter to George Washington, President of the United States of America, on Affairs Public and Private. By T. Paine, 1796, pp. 63, 64.

When Congress met, a new affront was given the President. In accordance with his custom, he went down to the House of Representatives and, from the Speaker's chair, delivered his speech. The representatives bade a committee bring in a reply. The committee threw the burden on Fisher Ames,* and Ames framed an answer that was little to the liking of the Republicans in the House. Since James Jackson, of Georgia, ceased to be a congressman, the most factious member on the floor was William Giles, of Virginia. For three years he had been steadily opposing the foreign policy of the administration. He could not, therefore, suffer this last chance of insulting the President to pass by unused. The whole answer seemed to him so objectionable that he would have it recommitted. Something was said about America being the freest and most prosperous of nations. This should be left out. It was unbecoming to tell nations involved in calamity that we were happier than they. Something had been said about the President's firm, wise, and patriotic administration. This, too, should be left out. Though he stood alone in the opinion he would declare that he did not believe the conduct of the administration had been firm and wise. Had it been, the present crisis would surely have been averted. Some regret had been expressed at Washington's retirement. This, also, he could not agree to. He felt no regret. He hoped the President would retire and enjoy all the happiness that awaited him. Though the voice of all America should declare it a calamity, yet would he not join in the declaration.

And now other members rose one by one to speak against the answer. The motion to commit was lost. A motion to amend was destroyed by the previous question. The answer then passed; but, when the ayes and nays were taken, twelve members answered No.

In the press the President was yet more cruelly treated. "If ever a nation," wrote one Republican scribbler, "if ever a nation was debauched by a man, the American nation has been debauched by Washington. If ever a nation was deceived by a man, the American nation has been deceived by Washington. Let his conduct, then, be an example to future ages; let

* Fisher Ames to Thomas Dwight, December 10, 1796.

it serve to be a warning that no man may be an idol; let the history of the Federal Government instruct mankind that the mask of patriotism may be worn to conceal the foulest designs against the liberties of the people." *

If, wrote another, any additional proof of the hostility of the Government to France were wanting, it could be found in the President's speech. Since the last meeting of Congress fifty of our vessels have been seized by the English to one taken by the French. Our ships have been boarded; our seamen have been pressed, fettered, exposed to contagious diseases and the sword, nay, even the masters of our vessels have been ignominiously whipped by officers in British pay. Yet not one word is said about these things in the address. All self-respect, all recollection of what is due the character of our Government, is forgotten when Great Britain is concerned. It is with their conquerors only, with the French, that we dare to talk of dignity and respect.† Fifty to one! exclaimed a Federalist. The British have not taken fifty ships since the treaty was framed; nor have they condemned ten. There are now anchored in one French port in the West Indies more American ships than the English have seized in two years. ‡ Yet another Republican demanded an examination of the conduct of the Executive. It was right that the people should know how far he had deserved the censure of their great and good allies the French.# One, who wrote in the name of the people, assured the President that they highly respected him as a private man. He was in that capacity an ornament to the land; but of his political career this could not be said. Should he fail to bring back that state of peace which the loss of the friendship of the French Republic had so suddenly broken, he would surely go down to his grave with a character stained and blackened forever. ‖ When at last he did quit public life a shout of exultation went up from the Republican press. "Lord," exclaimed one in the words of Simeon, "now lettest thou thy servant depart in peace, ac-

* Aurora, December 23, 1796. † Argus.

‡ Gazette of the United States, December 14, 1796. Boston Gazette, December 26, 1796. # Boston Gazette, January 16, 1797.

‖ Boston Gazette, February 13, 1797.

cording to thy words, for mine eyes have seen thy salvation." Now should the people rejoice exceedingly, and let their hearts be glad, for now is the source of all misfortunes brought down to the level of his fellow-men; now will political iniquity cease to be legalized by a name.* After bringing the country to the very brink of ruin, Washington had fled from the gathering storm. Having run the ship between rocks and shoals, he had abandoned the helm and left the vessel to her fate.† When a grateful people raised him to the exalted post of President, America was indeed a happy land; now by his means she has become most miserable. Then every Frenchman was her friend; now every Frenchman is her foe. ‡

The Executive, whose conduct was so bitterly denounced, had now reached the end of his presidential term. On the first Wednesday in February the electoral ballot had been counted, and thirteen names were found to have received votes. As the Constitution then provided, each of the one hundred and thirty-eight electors # wrote down upon his ballot the names of

* "'Lord, now lettest thou thy servant depart in peace, for mine eyes have seen thy salvation,' was the pious ejaculation of a pious man who beheld a flood of happiness rushing in upon mankind. If ever there was a time that would license the reiteration of the ejaculation, that time is now arrived, for the man who is the source of all the misfortunes of our country is this day reduced to a level with his fellow-citizens, and is no longer possessed of power to multiply evils upon the United States. If ever there was a period for rejoicing, this is the moment. Every heart, in unison with the freedom and happiness of the people, ought to beat high with exultation that the name of Washington ceases from this day to give currency to political iniquity and to legalize corruption. A new era is now opening upon us, an era which promises much to the people, for public measures must now stand upon their own merits, and nefarious projects can no longer be supported by a name. When a retrospect is taken of the Washingtonian administration for eight years, it is a subject of the greatest astonishment that a single individual should have cankered the principles of republicanism in an enlightened people just emerged from the gulf of despotism, and should have carried his designs against the public liberty so far as to have put in jeopardy its very existence. Such, however, are the facts, and, with these staring us in the face, the day ought to be a JUBILEE in the United States." Aurora, March 6, 1797. New York Daily Gazette, March 10, 1797.

† Aurora, March 14, 1797. ‡ Aurora, March 13, 1797.

Massachusetts, 16 electors, chosen, 14 by districts; 2 by General Court.
New Hampshire, 6 " " by the Legislature.
Vermont, 4 " " " "
Rhode Island, 4 " " " town-meetings.

two men. Both were, in the eye of the law, candidates for the Presidency. But, when all the votes were counted in the presence of Congress, it was declared that John Adams had received seventy-one and Thomas Jefferson sixty-eight. These two, therefore, became President and Vice-President of the United States. That the election would be a close one, and that it would probably end as it did, was well known long before the year closed. Jefferson affected to fear that it might be carried into the House, and bade his friends on no account to strive to put him in the first place. He could not oppose his old friend John Adams. Adams deserved the Presidency. Such hypocrisy, Fisher Ames declared, might dupe very great fools, but it should alarm wise men. Underneath it a deep design lay hid. The Senate would give him no trouble. He would have no casting votes to give. He would bear no responsibility for any measure. He would be called upon to take a public part in none. But he would go quietly on, affecting zeal for the people, combining the malcontents and "antis," and, standing at their head, would balance the power of Adams with his own. During four years two Presidents would jostle and conflict. Then the Vice would become chief.* The prophecy was fulfilled.

Connecticut,	9	electors,	chosen	by	the Legislature.
New York,	12	"	"	"	"
New Jersey,	7	"	"	"	"
Pennsylvania,	15	"	"	"	general ticket.
Delaware,	3	"	"	"	Legislature.
Maryland,	10	"	"	"	district.
Virginia,	21	"	"	"	general ticket.
North Carolina,	12	"	"	"	Legislature.
South Carolina,	8	"	"	"	"
Georgia,	4	"	"	"	"
Kentucky,	4	"	"	"	four districts.
Tennessee,	3	"	"	"	Legislature.

* Fisher Ames to Christopher Gore, December 17, 1796.

CHAPTER X.

THE QUARREL WITH FRANCE.

The ceremony in the Senate Chamber concluded, John Adams found himself at the head of a nation in most violent political commotion. On the one side were the Federalists, the founders of the Bank, the supporters of neutrality, the friends to the treaty, and, therefore, in the language of their opponents, the aristocrats, the monocrats, the well-born, the British faction, the Tories. On the other side were the Democratic Republicans, the men who had shouted and feasted round Genet, who would not say Mr. and Sir, who had founded the Democratic Societies, who hated the Bank, the treaty, and Mr. Jay, who were believed to have raised the whiskey revolt, who loved the French, who had been called Democrats and Jacobins by the Federalists and "mobility" by Abigail Adams. At no time had either party been wanting in virulence and malignity. But the bitterness of their animosity was increased tenfold by the closeness of the electoral count and the conduct of the Directory of France. No great question of domestic policy was before them. Foreign, not home affairs, parted them. The Republicans were for yielding to the demands of the Directory, abrogating the treaty, defying England, and forming a close alliance with the Republic of France. The Federalists were for the treaty, a strict neutrality, or, if needs be, a war with France.

That the Federal party did show a singular affection for England, did submit with meekness while she held their posts, impressed their seamen, condemned their cargoes and their ships, is perfectly true. But it is likewise true that the Republican party exhibited a most infatuated love for France.

Names and appearances had deceived them. The Republic the French had set up was, they believed, the same kind of a Republic as the Americans had set up, and the liberty the French enjoyed the same kind of liberty as they enjoyed. But the two revolutions were as different as the temperament of the races by which they had been effected. The revolution by which we shook off the rule of England was a Saxon revolution, and conducted with the sobriety, with the dignity, with the love of law and order that has ever marked the national uprisings of the Saxon race. The French Revolution was a Celtic revolution, and accompanied with the violence, the wanton destruction of property, the wilful waste of life, that has ever disgraced movements toward liberty among the Celts. Fired by the recollection of the tyranny of England in the past, by her insolence in the present, by a mistaken sense of gratitude to France, the Republicans, through all the vicissitudes of four years, were the apologists and admirers of a succession of men whose shameful deeds make everything else that is monstrous and inhuman in the whole history of the world seem tame. The Brissotins, the Mountain, the Committee of Public Safety, the Revolutionary Tribunal, the Executive Directory, were each in turn the objects of their admiration and their praise. These men pronounced Washington a tyrant, and then extolled Robespierre and St. Just, and Billaud and Barère, and Couthon and Collot D'Herbois, and Marat and Fouquier-Tinville, and the loathsome Hébert, as so many models of Republican virtue. The Government of America, to their minds, was execrable. That country was alone well governed where the guillotine worked day and night; where girls were roasted on the Place Dauphine; where priests were hewn in pieces at their altars; where men tore out and bit the quivering hearts of women;* where crowded boats were sunk with all on board and toasted as the national bath;† where hundreds of lads and maidens were each week lashed together in "Republican marriage" and drowned,‡ or swept down with grapeshot and their bodies sold to dealers in old clothes;# where it was a crime to be rich, or to be learned, or to be benevolent, or to have a name illustrious in the annals of

* Bloody Buoy, p. 13. † Ibid., pp. 81, 97. ‡ Ibid., p. 39. # Ibid., p. 85.

the country, or to be possessed of a face not stamped with every attribute of bestiality. Yet nothing which these men did could turn away their American admirers. Good Republicans made haste to seek admission to their clubs, to fight under their flag, to sing their songs, to ape their speech, to copy their dress, to toast the guillotine, to gibbet and burn the officers of Government in effigy, and, while they bought and sold slaves, indulged in foolish rants about liberty and equality and the rights of man. The Federalists committed many gross follies; but they were, as the Republicans in derision named them, "friends to order and good government." To the Republicans we owe much; but in every town from Eastport to the St. Mary's river they were then the party of violence, of disorder, of mob rule.

Such men had small reason to love John Adams. Yet his speech on the fourth of March drew from one of the most violent of their journals some words of praise. That address, it was said, could not be perused without feelings of warm approbation. It was delightful to see the diamonds, the robes, the ornaments of royalty, placed in the light of ridicule. It was as strange as it was agreeable to hear an American Executive acknowledge that all power came from the people. Let him go on in a career so well begun.*

Mr. Adams, said another journal, is a man of incorruptible integrity. His measures, at least, will be guided by prudence. No party will find in him a head. No man will use him as a tool. Already he has declared himself the friend to Republicanism and to peace. Such sentiments do him honor. They are the marks of a real patriot.†

For a time the Federalists were at a loss to know what this sudden admiration for Adams meant. When they compared the language of the Republican prints in October with the language of the same prints in March, the change was to them most amusing. Noah Webster was unable to restrain his ridicule. But Mr. Grammatical Institute, Mr. Noah Syllable, was soon informed that his scoffs were out of place. It was at first supposed that Adams was the puppet of Hamilton. But

* Argus, or Greenleaf's Daily Advertiser, March, 1797.

† Aurora, March 14, 1797.

when the Republicans saw that he was not, that the late Secretary was bitter against him, they learned to look upon him as an independent Republican, and became reconciled to his election. When, still later, they heard his speech, and found him President of the United States, not chief of a faction, eager to keep peace with France, anxious to shun the rocks on which Washington so insanely ran the country, then the Republicans, like the honest citizens they were, had come forward determined to support him.* Now they would consult Adams, not his book. Now they felt sure Republicanism would be countenanced, and no hydra of British faction dare to show its heads. It was a new thing to see a President come to Congress Hall in a carriage with but two horses and no white wands trudging through the mud.† It was delightful to see a President calming the public mind, harmonizing party disputes, and fulminating no anathemas against self-created clubs. Two months, however, had not gone by when the same newspaper, with a dozen others, were abusing him most heartily. By that time he had made a second speech on French affairs, that was deeply offensive.

The conduct of the French Republic toward the United States was clearly explained by the late Minister, Fauchet. It seemed, he wrote, at first sight, to have all the appearance of war. Yet a candid examination of the dispute would show that moderation had been on the side of the Directory. To name all the wrongs with which France reproached the Federal Government would be tiresome in the extreme. It was enough to say, in the first place, that America stood accused of the violation and inexecution of treaties. What were these treaties that had once bound together America and France? They were well known to be two in number. One was a treaty of offensive and defensive alliance. The other was of Amity, Navigation, and Commerce. They were the very first contracts the United States ever signed as a nation. France might, therefore, have taken advantage of this fact. Did she do so? No. With a policy more generous than politic she reserved for herself but two privileges: that of bringing prizes to the United States without the local officers taking cognizance

* Aurora, March 16, 1797. † Ibid., March 20, 1797.

of their validity, and that of sending war-ships in to victual to the exclusion of the vessels of her foes. Has America kept this solemn pledge? Have we not beheld numbers of prizes given up to the examination of her courts? And what were the frivolous pretexts? Capture within the limits of her jurisdiction, and capture by vessels armed within her ports. The justness of the first claim has never for a moment been disputed. It would be contesting her sovereignty to deny it. But the second rests on no justice at all; for a privateer was sure to be accused of arming in the United States if it did but take on board an old rusty musket, or open a port-hole till then shut up.

These two grievances, however, would not be worth serious consideration did they but stand alone. Had the Federal Government acted with sincerity on other points, it might easily have found plausible excuses for them. It might have reminded a deserted ally that its trade was young and needed protection; that it had a government to settle; that its treasury was empty; that it was hard pressed alike for money and men. It chose rather to make malevolence the soul of action, and, in the midst of hostilities, without a word of notice, signed a treaty with England derogatory to its ancient treaty with France. It was a rule of modern neutrality that articles to be contraband must be in a fit condition to be at once used for purposes of war. Provisions to be contraband must be carried to a port blockaded or a place besieged. These were the principles of the treaty of 1778. It was a rule of old-fashioned neutrality that everything intended for an enemy was contraband of war. This was the principle of the treaty made by Mr. Jay. While, therefore, England might lay hold of timber fit for ship-yards found upon a vessel bound from Boston to Bordeaux, France must respect the same kind of property if the vessel bearing it happens to be making for the English shore. Shall we, he asked, tamely suffer this to go on? Shall we see our goods snatched from under the American flag, yet permit English property under that ensign to go free? Have we not a right to murmur, nay, to demand that we be placed upon the same footing as our ancient and inveterate foe? Two ways of doing this were open to us. The Directory chose one, and, by the

resolution of the fourteenth Messidor of the year Four, decreed that as neutrals suffer themselves to be treated by the English cruisers, so shall they be treated by the French. The pamphlet closed with some good advice.*

The conduct of the Government was defended in the answer of Pickering to the famous remonstrance of M. Adet. The French Minister had complained of the abandonment of the principle that free ships make free goods; of the violation of the French treaties even in the letter; of the treaty with England; and of the ingratitude of the United States. Each complaint was considered in turn. Even on that of ingratitude he dwelt at length. He reminded the Minister of the conduct of France in the Revolutionary War. How she cared nothing for the good of the United States; how she formed the alliance in hope of breaking down the power of England on the sea; how, when independence was secured, she strove to delay its acknowledgment; how, even to the very last moment, she sought to deprive the States of some of its happiest results: a just extent of territory, the right to use the Mississippi, and to take fish upon the Grand Banks. And had America, he asked, given no succor to France? Of the fifty-three millions of livres loaned by France, how much remained unpaid? Every livre of it had been discharged in 1795. Yet the last instalment was not strictly payable till 1802. Was this ingratitude? The administration, it was true, hesitated to receive M. Genet. But had France done nothing of the kind? Was she prompt in acknowledging the independence of America? No. She delayed for one year and a half; nor would she then have done so had not a whole British army laid down its arms.†

The letter of the Secretary had not been many weeks before the public when a pamphlet came out in reply. The author was a Frenchman. He denied the truth of Pickering's statements, and proved, by a long citation from Ram-

* A Sketch of the Present State of our Political Relations with the United States of North America. By Joseph Fauchet, Ex-Minister of the French Republic at Philadelphia. Translated by the editor of the Aurora, 1797.

† Letter of Pickering to Mr. Pinckney, Minister Plenipotentiary from the United States to the Republic of France, January 16, 1797.

say's "History of the American Revolution," the disinterested character of aid given by the French King. The treaty was, he knew, signed in 1778, some months after the surrender of Burgoyne. But it was notorious, he declared, that France had long before supplied the States with officers, money, and arms. The officers came out as volunteers; Mr. Dean was said to have sent them. But they belonged in fact to the army of the King, and were sent by the Minister of War. The guns were bought of merchants; but the merchants were acting under commands of the King, and the muskets were taken from the royal stores. The clothing came from the magazines. The money to pay for these supplies was advanced to the credit of Congress by the King.*

The pamphlet war now raged furiously. "A Citizen of Pennsylvania" expressed the popular view of the dispute.† He belonged to the Republican party, and the arguments he used were such as made up the articles copied each week by the country Repositorys, Posts, and Centinels from the columns of the Argus or Aurora. He accused the administration of violating the treaty, and went back for his facts to the year 1793. Of the long list of shameful acts, the proclamation of neutrality came first. While France was still a monarchy the treaty of 1778 had, he said, been strictly kept. Most probably, if France had remained under the old *régime*, the Apostle of Liberty at the head of American affairs would have continued

* Observations on the Dispatch, written the 16th January, 1797, by Mr. Pickering, Secretary of State of the United States of America, to Mr. Pinckney, Minister Plenipotentiary of the United States near the French Republic. By C. C. Tanguy de la Boissière, 1797.

See, also, for a like discussion, a piece signed "A Frenchman," in Aurora, May 20, 1797. See, also, Letters of Fabius, in the New World, especially Letter XII. These were afterward published in a pamphlet, The Letters of Fabius, in 1788, On the Federal Constitution; and in 1797, On the Present Situation of Public Affairs. For other defence of the French, see Sketches of French and English Politics in America in May, 1797. By a Member of the Old Congress. The Altar of Baal thrown Down; or the French Nation defended against the Base Pulpit Slander of David Osgood, A. M., Pastor of the Church in Medford. By Citoyen de Novion, 1795.

† An Examination of the Conduct of the Executive of the United States toward the French Republic, etc. By A Citizen of Pennsylvania, 1797. Public attention was called to this pamphlet by a correspondent in the Aurora, May 17, 1797.

to be attentive to the compact. He would have joined her in her struggle with Great Britain, or he would have maintained a neutrality not tainted with fraud. But France became a republic. Instantly a proclamation of neutrality came out. If ever there was a wanton infraction of a treaty, this act was the one. Great Britain declared war and attacked France. This made the war defensive on the part of France. The treaty bound us to share in a defensive war. Could we be neutral and at the same time redeem this promise?

Permitting English war-ships to bring their prizes into American ports was another infraction. This was bad enough. But the aristocratic conclave at the head of Government made it worse by actually allowing Englishmen to make prizes within gunshot of our towns. The Africa boards an American ship in Long Island Sound, ransacks the baggage of M. Fauchet, and lays the town of Newport under her guns. And what does our Executive do? A month after the outrage, when the Africa is on the point of sailing, her commander is gently bidden to quit the port. The Cleopatra retakes the Pamela within the capes. And what is done? Nothing; and she is still free to come and go at pleasure. Are the French treated so? Punctilio is refined to prevent them arming ships, even for self-defence, in our waters. Are the British hindered? Did not several English and one Dutch vessel arm at Charleston in June of 1793? Did not the Trusty go out from Baltimore a privateer? Did not the Argonaut send the corvette L'Esperance into Lynn Haven, whence she too went out upon a privateering cruise? But it is useless to enumerate. The black catalogue of infractions may be swelled till the Executive himself becomes appalled. If anything can impress the world with abhorrence and contempt for the American character, the conduct of Washington toward France will do it. The ingratitude, the hypocrisy, the perfidy of the Government toward that Republic, must be a lasting monument of shame against the United States.

Submitting tamely to the impressment of our seamen is still another infraction. It makes us an accessory to the war. Could, would our Government bear this outrage without being in secret combination with the nation committing it? Scarcely

a day glides by but accounts of further impressments come to our ears. Not a week passes over our heads but some new barbarity is exercised upon our men at sea. Are the walls of the American Divan impenetrable? Cannot the agonizing cries of our citizens pierce through? Has Pitt, with his magic wand, drawn a circle round the Executive conclave? What spell is on the administration? When word came to us that the Directory would call us to an account for our perfidy, a late treasury officer, the chief juggler of the legerdemain tricks of the Government, hoped the South would join the East in resisting. How hot this Judas Iscariot of our country is for war with the French Republic! But he will have us bear any indignity, endure any outrage, suffer any shame, rather than take energetic measures against his English friends. The little republic of Genoa, the Caribs of St. Vincent, put us to shame. Even they would blush to submit to such an outrage as that committed on Captain Jessop. But what wonder that our Government lies prostrate at the feet of England, when the chief automaton is made to respond to the wishes of a profligate and unprincipled Creole! We have succored Britain by suffering her to impress our men. We have strengthened the navy of the enemy of France. We have thus violated even our own proclamation of neutrality! *

The Federalists complained that Barney, who now commanded the French ship Medusa, had insulted the American people. He had run up the United States flag with the union down. This, said the Republicans, was a mere accident. Her flags were wet. In running them up to dry, the American ensign had accidentally become inverted.† Fifteen captains and half the crews of fifty American ships, said the Federalists, have died in the port of Hispaniola. How came they to die? Oh, by being detained in a sickly climate. Kept there, likely, by those vile rascals the British? Oh, no, by the French. But it is nothing. It is not half so shameful as the conduct of Captain Pigot. He flogged an American cap-

* For these arguments, see An Examination of the Conduct of the Executive of the United States toward the French Republic, etc. By A Citizen of Pennsylvania, 1797.

† Massachusetts Mercury, January 24, 1797. Aurora, January, 1797.

tain and impressed half a dozen seamen from an American ship. Why is it not as bad? Because Frenchmen are saints, and does not the Bible say the meek shall inherit the earth? Because the French are Republicans and the English slaves to a king. Because the French say Citizen and the British say Sir. Because the French begin their acts with Liberty, Equality, Fraternity, and the British close theirs with God save the King.* And such liberty! After rambling over the monarchical and despotic states of Europe you advance cautiously to the land of true liberty, France. Scarcely is your foot upon the soil when a bayonet is at your breast, and the demand, "Your passport," is ringing in your ear. With a "There it is, an't please your Sans Culotteship," you give it up. Then you are examined all over like a horse on the race-grounds or a prize ox at a fair. Your height, your hair, your cheeks, your lips, your nose and eyes are all compared with the description put down on the paper. When the commissary, the filthy agent of liberty and equality, has, jockey- or butcher-like, ended his survey, a file of ragamuffins lead you to the town-house. There you may stand, hat in hand, before a dozen baleful-looking scoundrels who, yesterday, were on the highways or in the hulks. When you have borne with their scoffs for two hours, and paid Liberty her fees, you may go on till you come to the next red-capped villain who chooses to examine you.† This is the liberty Republicans admire; the liberty of our good allies. Good allies indeed! A captain of an American ship not long since was taken into Guadaloupe, ironed, and flung into a prison where some Englishmen were confined. There he received half a pound of bread and a quarter of a pound of salt fish each day till, with four others, he was sent off to Martinique to be exchanged for some French prisoners of war. American ship-masters exchanged for French prisoners of war! Yes. But is not this war? Oh, no. It is only a gentle way of expressing displeasure. No sequestration, no prohibition, no embargo is needed. Well, be it so. This humble nation still fawns upon the French, and the tricolored ensign of robbery and murder waves over the American flag in every port

* Massachusetts Mercury, January 20, 1797.

† Peter Porcupine's Gazette, March 16, 1797.

of the West Indies, and graces the Tontine Coffee-House at New York.*

The tricolor, however, was soon to be removed. One day in March a card bearing an imprint of the English and American flags was fastened to the walls of the great room in the Tontine known as the Exchange. Some one tore it down. A disturbance followed, whereupon the managers, after much debate, determined that all flags should in future be banished from the room, assembled in the Exchange, and, in their presence, the French and American flags, the tin emblem, and the liberty-cap were taken down and borne away. For two years they had hung upon the wall.†

By this time reports of an alarming nature began to come in from abroad. On the afternoon of Thursday, the twenty-third of March, the streets of New York were white with handbills. They were from the press of the Daily Advertiser, and contained an extract from a letter to a gentleman of the first respectability in Philadelphia. The Hamburg packet had arrived, and brought word from Liverpool that General Pinckney had surely been received by the Directory, and from Bordeaux that he had been rejected, ill treated, and driven back to that town. For three weeks the country was full of rumors.‡ He was at Paris; he had been ordered to quit France; some one had seen him at Amsterdam; he was surely at Bordeaux. No one seemed much alarmed at these stories save the Republicans. The crisis, they declared, was awful. Yet was it not just what a wicked administration had long wished for? If war with France was not a favorite object with Mr. Washington, then why did he do everything in his power to provoke it? He had been partial to England; he had studiously affronted France. Why was John Jay, the wicked libeller of Genet and the greatest enemy France ever had, sent to the Court of St. James? Why was Gouverneur Morris kept so long at Paris? Why was James Monroe so soon recalled? If the British treaty were the price of peace, then, for the sake of peace, let it go.#

* Peter Porcupine's Gazette, March 16, 1797.

† Herald, March 18, 1797. New York Daily Gazette, March 16, 1797. Aurora, March 17, 1797.

‡ Aurora, February 17, 1797.

Aurora, March 15, 1797.

The recall of Monroe was made necessary by the arrogance of the French and the misbehavior of himself. The time had come when the United States must have in each foreign mission a man efficient, zealous, and warmly devoted to her cause. Monroe was none of these. His ability was small, his spirit mean, and the administration he heartily despised. No sound was more grateful to him than the hollow applause of an ignorant and unthinking mob. Had he been a true patriot and an honest man, he would, being disaffected to Government, never have accepted his mission, or, having taken it, would at least have striven to serve faithfully and well. He neglected his duty, exceeded his powers, wilfully disregarded his instructions, misrepresented the mission of Jay, and heard with meekness such language from the Directory as it is to be hoped no American Minister will ever again submit to in any part of the globe.

While the President and the Cabinet were still uncertain what to do with so unprofitable a servant, an incident at Philadelphia decided the Minister's fate. An Englishman named Dunkinson bought a ship called Mount Vernon. He was not naturalized, and to obtain a register in his own name was impossible. The Mount Vernon was therefore cleared in her builder's name, loaded in that of Willing and Francis with British property, and carefully watched meanwhile by The Flying-Fish, a French privateer. The merchantman having sailed to be delivered to her purchaser in England, the Frenchman dropped down to the capes of the Delaware, and there, in American waters, made the Mount Vernon a prize. Demands for an explanation were made on Adet. He shuffled, gave none, and Washington, as advised by the Cabinet, determined to recall Monroe. It was high time, they felt, that the dispute with France was closed, and that to bring it to a close was not the intention of Monroe. As his successor, Charles Cotesworth Pinckney was chosen, and in September, 1796, sailed for France.

Accompanied by Monroe, he presented the letters of credence on the afternoon of December ninth. Delacroix received the two with great stiffness, took the letters, said he would submit them to the Directory, and asked for the bap-

tismal names and ages of the new Minister and his secretary, that cards of hospitality might be made out.* No more was heard of the matter till the morning of the eleventh, when a note from Delacroix was brought to Monroe. The Directory, he was informed, would receive no minister from the United States till the grievances complained of had been righted in full.† Monroe sent the note to Pinckney, and Pinckney replied. Delacroix was reminded that Pinckney, not Monroe, was now Minister near the Republic, and he was asked if, as no cards had been received, it was the wish of the Directory that the American Minister should quit the soil of France. Rutledge bore the note, was admitted, and told that the Executive Directory knew of no Minister Plenipotentiary from the United States since Citizen Monroe had presented his letter of recall.‡ Two days later the Chief Secretary of Foreign Affairs came to explain. Citizen Delacroix could hold no direct communication with Citizen Pinckney. That would be construed into an official recognition. As for the rest, Citizen Pinckney was undoubtedly aware of the law of France as it affected strangers on her soil. The law alluded to forbade any foreigner to stay more than thirty days in France unless he got a card of hospitality or leave so to do. Pinckney replied that he knew of this decree, and asked if he should leave the Republic or stay at Paris till he heard from home. The Chief Secretary did not know. He would report what had been asked him and return. It was evening when he came again, and said that the Directory meant the territory of the Republic, not Paris alone, and that if Citizen Pinckney wished for cards he should address the Directory through the Minister of Police-General. This he refused with spirit to do, told the Secretary that he was not a stranger, that Delacroix

* Monroe's View of the Conduct of the Executive, pp. 395, 396. Also, Documents referred to in the President's Speech to both Houses of Congress on the 16th May, 1797, pp. 8, 9.

† " . . . le Directoire m'a chargé de vous notifier qu'il ne reconnoitra et ne recevra plus de Ministre Plenipotentiaire des États Unis jusque après les redressement Américaine et que la Republique Française est en droit d'en entendre." Documents referred to in the President's Speech, p. 9. Monroe's View of the Conduct of the Executive, p. 396.

‡ Documents referred to, etc., p. 11.

knew very well in what capacity he came, stayed on, and, the day after the news of Napoleon's Italian victories arrived, received directions in writing to leave France. He thereupon crossed the border and took up his abode at Amsterdam.*

No sooner was the Department of State officially informed that Pinckney had left France than the President began to act. One proclamation named a day of fasting, humiliation, and prayer. Another summoned Congress to meet on the fifteenth day of May.† The speech on that occasion gave great offence. One scribbler denounced it as a war-whoop.‡ A second called it a war-song.# A third fastened on Adams the nickname of the President by three votes.‖ Whatever else might be said of him, he was, at least, a most admirable dissimulator. From the day of his inauguration he has completely deceived the people. Misled by his inauguration harangue, they have supposed him to be of no party, and under the influence of no man. But the mask is now put off. The cloven foot is in plain sight.^ "The refusal," says he in the war-song, "the refusal on the part of France to receive our Minister is the denial of a right." Can the man be in his dotage? A right? What right had we to send an ordinary Minister to France after she had suspended her ordinary Minister in America? We violated our faith with France. We deceived her. We gave improper advantages to her enemy. She declined further communication with us till we did her justice. Thereupon Washington sent out an ordinary minister to replace Monroe. Having declared all intercourse at an end, France could not receive Pinckney. Was this denying a right? Such assertions on the part of Adams can deceive nobody. They are as superficial as his man Timothy.◊ He has something to say, too, of "domestic faction." And well he may, when the British faction is hurrying the country on to ruin. He is pleased to talk of foreign influence. What a pity he is not as free from British as he is of French influence!‡ What a patriot he is, to be sure! How truly American!

* Documents referred to in the President's Speech, etc., pp. 13–19, 29.
† Ibid., March 27, 1797.
‡ Aurora, May 19, 1797.
# Ibid., May 19, 1797.
‖ Ibid., May 19, June 6, 1797.
^ Ibid., May 19, 1797.
◊ Ibid.
‡ Ibid., May 20, 1797.

With what indignation does he dwell on the treatment we get from belligerent powers! How the patriot blood mounted to his face as he spoke of the robberies of Great Britain, of the impressment of our seamen, of the savage conduct of Eng land when she aroused the Indians to kill our settlers and burn our frontier towns, and urged on the Algerine pirates to filch us of our property on the sea! Hear him, too, speak of France, who aided us in the Revolutionary War! His notes are like those of the dying swan! What a friend to the rights of man, to the Republic of France, to the peace of the United States is not John Adams! *

"It must not be permitted," says he again, in his funeral oration on the departed faith and honor of our country, "it must not be permitted to be doubted whether the people of the United States will support the Government." By the Government is to be understood John Adams. It is not for ME to hesitate. *I*, who have not been indifferent to the interests of MY country! I, who have devoted the best part of MY life to gain and uphold its independence. It is not for ME to hesitate. Were the man in his second childhood, this egotism would be excusable. If he will own himself to be in his dotage, it will be pardonable even now. But for the President by three votes to talk in this wise is ridiculous. Were not the crisis of our country so awful it would force a laugh from the most stoical. Because by tricks, by frauds, by finesse, he secured the greater number of electoral votes, he plumes himself on being the Government! Poor old man, how miserably he deceives himself! † He an officer of the people! Does he not know that in several of the States where men were weak enough to vote for him, the choice of electors was by the Legislature and not by the people? Had the people of New York cast their ballots for electors, would Mr. Adams have been the unanimous choice of that State? Why, then, does he deny that the present Government is one thing and the people another? Does he really think that the people and himself are of one mind? That the people are partial to Great Britain? That they are for war measures against France? ‡ He has assembled Congress in solemn form to tell them, what? That

* Aurora, May 25, 1797. † Ibid., May 23, 1797. ‡ Ibid., May 22, 1797.

the French have refused to acknowledge an ordinary minister. That Delacroix received him with stiffness. That he could not get cards of hospitality because he would not ask for them from the proper officer. That some men in France look on Mr. Adams as the friend of Great Britain. That the French condemn American vessels as if without sea letters. That American citizens taken from the decks of British vessels are treated as prisoners of war. All this he is hot to resent. Compare this show of spirit with the conduct of Washington when England was at fault. Was Congress called to repel unprovoked hostility? No. Mr. Jay was sent in all haste to throw himself at the feet of the British King.*

The bitterness of the editor of the Aurora had been increased not a little by an event in which he bore a conspicuous part. The frigate United States was then fast approaching completion on the Southwark stocks. Benjamin Franklin Bache, with a few friends, went down one day in April to see the ship. But party spirit ran high, and, before he came away, Bache was well beaten by Clement Humphreys, son of Joshua Humphreys, the builder. The punishment, he was given to understand, was for the abuse his newspaper had so shamelessly heaped upon Washington, the Federalists, and the Government at large.† The outrage was a gross one. Yet the unanimous verdict of every Federal coffee-house and newspaper in Philadelphia was, "It served him right." Peter Porcupine was especially delighted, and was still making merry over the incident when the frigate was launched.

In the long list of splendid vessels which, in a hundred combats, have maintained the honor of our national flag, the United States stands at the head. After three years of unavoidable detention the first naval vessel built by the United States under the Constitution was to be committed to the waves. The day chosen for so great an event was the tenth of May. The hour was one in the afternoon, and the whole city of Philadelphia, it was said, came out to Southwark to behold such a rare show. One estimate puts the number present at thirty thousand souls. Another authority declares that, an hour after the launch took place, Front street and Second

* Aurora, May 22, 1797. † Ibid., April, 1797.

street, as far north as Chestnut, were still choked with people going home. It was feared that a strong northwest wind, which had for several days kept back the tides in the Delaware, would make the water much too shallow to permit the launch. Yet at sunrise on the morning of the tenth the best points of observation began to be occupied by an eager throng. By noon every hill-top and every house-top commanding a view on each side of the river, and every inch of space on the stands put up about the vessel and before the houses on Swanson street,* was covered with human beings. In the river a hundred craft rode at anchor, gay with bunting and richly dressed dames. At one, precisely, the blocks were knocked from under her, the lashings of the cables cut, and, amidst the shouts of the great multitude, the United States slid gracefully down her ways.†

Scarcely was the frigate in the water than the Republican journals began to scoff and to jeer. What would the Executive do with his navy of one forty-four-gun ship? Send her to hunt up the Africa and demand satisfaction for the insults heaped upon the town of Newport and the French Minister Fauchet? Send her to avenge the flogging given by an Englishman to the captain of an American ship? Would he use her to stop the impressment of our seamen and the plundering of our merchantmen? Or would he use her against the French? If he did, it would be well to remember that the Directory stood in no dread of "the most enlightened of nations." Talleyrand himself had been heard to say that France had nothing to fear from a nation of debaters that had been trying for three years to build three frigates. To this it was answered that, if France held the United States in low esteem, Thomas Jefferson and James Monroe had done quite as much as any two men could to encourage her. The allusion was to a letter of Mr. Jefferson's which, early in May, had appeared in print.

Among his correspondents in 1796 was Philip Mazzei, a Florentine, who had long lived near Monticello, and knew the Vice-President well. To him Jefferson had written a letter,

* These seats are advertised in the New World, May 10, 1797.

† For an account of the launch, see New World, May 11, 1797.

chiefly on private affairs; but took occasion, before closing, to express some thoughts on matters of state. Mazzei no sooner received the packet than he translated the letter into Italian and sent off a copy to a Florentine Gazette. The Gazette came in time to the Moniteur, the official journal of the Directory, which in turn translated and published the letter in French.* Copies of the Moniteur were brought to the United States, and the letter, turned again into English, appeared first in the New York Minerva,† then in all the Federal Gazettes and Advertisers in the land. It is reasonable to suppose that, while the substance of the original remained, the form was gone. Words had been given new meanings. The sense of many phrases had been altered. Whole sentences had been rearranged.‡ But of this the Federalists knew nothing. It was enough for them that the letter had emanated from the Vice-President, that it contained expressions hostile to Government, and that it gave new cause for attacking the conduct of the warm admirers of the French. The aspect of politics, Jefferson informed M. Mazzei, had wonderfully changed since he left. That noble love of liberty which had carried America in triumph through the war was gone. An Anglican, monarchical, and aristocratical party had sprung up. The open purpose of these men was to pull over the United States the substance, as they had already done the forms, of the British Government. The Executive was with them, the Judiciary was with them, all the officers of Government, all men who wished to be officers, all who traded on British capital, who speculated in the funds, who owned shares in the bank, were joined together on the English side. It would throw Mazzei into a fever to read the names of the apostates who had gone over to these heresies, the long list of Solomons in Council, and Samsons in the field, who had suffered their heads to be shorn by the harlot England. But the Republicans would preserve their liberty. They had but to wake and snap the Lilliputian cords with which the Federalists had entangled them during the first sleep which followed their labors.#

* Moniteur, January 25, 1797.
† New York Minerva, 1797.
‡ Jefferson to Madison, August 3, 1797.
# Jefferson to Philip Mazzei, April 24, 1796.

The letter was, at best, but a school-boy composition, or such a document as a tavern orator might have prepared to affix to a set of resolutions to be adopted after the toasts had been drunk on the fourteenth of July; yet every editor into whose hands a copy came had something to say of it. The French translator declared that it explained the conduct of America toward France. Of all neutral and friendly powers there was none, he said, from which France had a right to expect so much good-will and succor as from the United States. France was their true mother country. She had assured to the States their liberty and their independence. Ungrateful children, they had deserted her when they should have armed in her defence. Jefferson's letter made the reason for such behavior quite clear. England and Mr. Pitt had dictated it all.

The American translator likewise made his comments. The letter bore all the marks of authenticity; yet to believe an American could have written it was a hard thing to do. It was now circulating in Europe. If a forgery, Mr. Jefferson ought, in common justice, to have a chance to say so.*

An explanation was attempted by the editor of the Aurora. He was not able to say whether Mr. Jefferson or some one else wrote the letter; but to his mind the description of the two parties was in the main correct. He, too, believed that the glorious spirit of the Revolution had slept too much of late. He, too, believed that there was a strong British faction in the land. He had always proclaimed it; the acts of Washington's administration had proved it. They were modelled on the corrupt usages of Britain. She had a funding system; so had the United States. She had an excise; so had the United States.†

No wonder the letter begets uneasiness in the minds of the British faction. They abhor daylight as the thief does. They seek to set up an Anglo-monarchico-aristocratical party in the country and hide it from the people till all is ready, and then call it treason to write about their doings. In lieu of arguments to answer the melancholy truths of the epistle to Mazzei, the high-flyers have denunciation. The theory is called abominably false and wickedly treacherous.

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* Minerva, May, 1797.

† Aurora, May 5, 1797.

The statement was true. No terms were thought too vigorous by the Federalists. Had a private citizen been guilty of such a libel on his country and his country's chief, the offence would have been shameful, and might, they declared, have been suffered to pass by with all the other infamous lies of the Republicans. But in Thomas Jefferson the act was treasonable. He ought to be impeached.

The cry for impeachment was not heeded. The Congress when it met had a better way of spending time, in answering the President's speech. The speech was delivered on the fifteenth of May, but nineteen days went by before the House heard a motion to wait upon Adams with the reply. When it had been seconded and the floor opened for debate, a member rose and moved that from taking part in this ceremony he, at least, might be excused. He was a new member, came from Vermont, and bore the name of Matthew Lyon. Otis would have described him as a "wild Irishman"; but he was, in truth, the most energetic, the most self-reliant, one of the most common-sense, and, when Andrew Jackson was not present, the most impetuous member of Congress. Lyon, at the age of fifteen, was lured over from Ireland by an American ship-captain, fell sick on the voyage, was nursed by two abandoned women, was sold by the captain as a redemptioner to a farmer of Connecticut, was traded, or, in the language of his owner, swapped, for a couple of stags with a farmer in what is now called Vermont, served his time, and settled down as a citizen of the colony. To the end of his life a favorite oath was, "by the bulls that redeemed me." When Sir Guy Carleton made his raid in 1776, Lyon was a lieutenant of militia, and was sent to guard a post on Lake Champlain. The post was soon abandoned, and Lyon sent to headquarters to report the fact. There he was shamefully berated as a coward and a poltroon, was seized, arrested, and cashiered. He ever afterward most solemnly protested that he was an ill-used man. Nor is there any reason to doubt that he was, for a year later we find him commissary in the army that captured Burgoyne. When peace was restored, Lyon became a manufacturer, and soon had a furnace for casting hollow iron-ware, a saw-mill, a slotting-mill, a paper-mill, and a printing-press, in full operation

near the foot of Lake Champlain. In 1793 he began the publication of a small newspaper, which he named the Farmer's Library, and after a time changed to the Fairhaven Gazette. From the same press came a Life of Franklin and a novel, "Alphonse and Dalinda." He acquired property, he took to wife a daughter of Governor Chittenden, and, true to the instincts of his race, became a local politician of note. It was an evil day for him when he quit his business for a politician's career; but he knew it not, consented to run for Congress, and in May, 1797, was seated as one of the representatives of Vermont. Little was heard from him till the morning the answer had been carried and the House was about to march with due solemnity to the President's house. Then he rose in his place and moved that so much of the resolution as made attendance obligatory be rescinded, that the words "attended by the House" be stricken out, and that the words "attended by such members as may think proper" might be put in. A member seconded the motion, as he said, to give the gentleman from Vermont a chance to be heard. Lyon thereupon explained to the House that, as an honest Republican, he could not take part in the mummery of marching after the Speaker to the President's door. He had been assured that he might keep away if he chose and not be missed; but the House had the law on its side, and might use it. The rule forced every member to attend with the Speaker. He hoped, therefore, leave would be given for such members to remain in their seats as wished to. What were known as both sides of the House had been consulted. Gentlemen of the one side had said Pooh! pooh! say nothing about it or you will be laughed at. Gentlemen of the other side had condemned the custom, but, the President not being of their party, they were unwilling to do anything that seemed factious. When he had finished talking, the Speaker told him the motion must be confined to himself. This was done. A new motion was made, and, as the Speaker was about to put it to a vote, Lyon rose to speak. Were he alone concerned, to fall in with a fashionable folly would be a very little matter. Remembering, however, that the dignity of eighty thousand American citizens he had the honor to represent was affected, he felt

compelled to resist. The member from Connecticut had said, while the answer to the President was under debate, that there was enough American blood in the House to carry it. Let those men of blood go in the procession; he for one had no claims to blood. He came not from one of the bastards of Oliver Cromwell, nor from the Puritans who hanged witches, drove out the Quakers, and punished their horses for not keeping holy the Sabbath day; yet he had something within him which boiled with indignation when he heard of such distinctions in a Republican land. When the question was put, every member present stood up at the call for the ayes. The House then marched off to deliver the answer to the speech.

On the return of the representatives to their chamber they went into a Committee of the Whole on the State of the Union. Ten resolutions were then presented. More provision ought to be made for the defence of harbors and ports. The three frigates building should be finished. Three others ought to be begun. The President ought to have power to call out the whole naval force. Merchant-ships ought to be armed, the army increased, money borrowed, a larger revenue raised, a provisional army created, and, for a limited time, the shipment of arms and ammunition stopped.*

It was high time that the House began to act. Even the supporters of Government had commenced to grumble. What a ridiculous figure, exclaimed Noah Webster, does this great nation make! The rulers of the land have been called together to take measures to save our name from infamy, and to protect our commerce from thieves. They have done nothing. Three weeks have been wasted in debating about the exact degree of shame and humiliation it is proper for us to bear. The scandal of this war of words is shameful. The cost is one thousand dollars a day. But the ill effect it will have on the French nation is beyond calculation. It will show the Directory that we are a people divided against itself.† Twenty-one thousand dollars, exclaimed one of the Republicans, for so trifling a thing as an answer to the speech of John Adams! Are the people ready to bear it? If this enormous expense is incurred for talking, what may we not

* Annals of Congress. † Minerva, June, 1797. Aurora, June 5, 1797.

expect when the warlike President by three votes, and the British junto, begin to act?* This fondness for nicknames had of late become most popular. Pickering was "the man Timothy." Hamilton was "the Creole." Sitgreaves was "die in the last ditch." Smith was "Old Brazen Head." Harrison Gray Otis was "the man with more than one shirt." Benjamin Franklin Bache, who owned the Aurora, was "Lightning-rod Junior." On the Irish was then, for the first time, fastened the epithet of "wild." Some of these came from remarks dropped by the representatives in the heat of debate. Never had there been such debating. For days at a time scarce a member spoke without roundly abusing the gentleman who had just sat down. Cries of Order! order! were often heard. Some would not yield the floor that an explanation might be made or a question asked. Others, who had long been friends, ceased to speak, crossed the streets lest they should meet, or pulled their hats over their faces and stared at the shop-windows as they passed by.† Nothing would give satisfaction to one ranter for words spoken in debate but an exchange of shots on the duelling-ground.‡

What was said at such times in the House was commented

* Aurora, June 13, 1797. † Jefferson to Randolph, June, 1797.

‡ The anger of the Republicans found vent in numberless epigrams. One on Sitgreaves reads:

"Die in the last ditch! yet not, I pray,
The proverb says, that you must have your day."

Another member called upon Congress to assume toward France "the manly tone of Austria and the erect attitude of England." On this it was written:

"Pray what is Austria's manly tone
And Britain's attitude erect?
That, is the whisper of a groan,
This, a low bow, I suspect."

William Smith, who moved the ten resolutions for defence, and afterward added two more, became the subject of a couple of epigrams:

"Twelve motions Smith in one day made,
Yet the mountain brought forth but a mouse;
The next motion he makes, let us pray,
He may move himself out of the House."

"Six frigates and six sloops of war,
Hear learn'd Dr. Smith, how he splutters—
Three frigates are arm'd for a year,
And his convoys have dwindled to cutters."

on yet more savagely by the press. A member, for some remarks on the presence of foreigners in the House, was told that his face was of brass, that his mouth was a bag of words, that his head was as empty as Newton's vacuum, and that any one who bought him at his true value and sold him at his own esteemed price would become a rich man by the transaction. Another remarked that in defending the honor of the country expense should be out of the question. Could Pitt, it was asked, have said more when he subsidized the Emperor? Did our chattering representatives think the Treasury in such a state of inundation as not to make it worth while to count the cost of the warlike plans of John Adams and the British junto? Already there was a trifle of eighty millions saddled on the country as a debt. Did a few millions make no difference to the people? And how was it to be raised? By a loan; Pitt's darling plan of a loan; for, if the administration was not British, it was nothing. Who was to make the loan? The Bank of the United States, by issuing new stock. What would the stock bring? Perhaps ten shillings in the pound. And who would redeem it at par? The laborer, the mechanic, the farmer, and that, too, by the sweat of his brow. Would the stockholders, the stock-jobbers, the speculators, pay any part of it? Not one cent.

The loan was of eight hundred thousand dollars. But it was not the only source of complaint, for a new duty on salt was laid and a stamp-act passed. Henceforth every farmer who made an inventory of his crockery and his tools, or gave a letter of attorney to his neighbor or his son; every heir who receipted for a legacy; every company that undertook to insure; every merchant who put his name to a bond, or gave a promissory note, or drew a bill of exchange on some distant town; every lawyer who got a license to practice in the courts of the United States; every man who took out letters-patent for a dozen acres of land, or for a machine, or for a balsam or elixir to cure all manner of human ailments; every alien who wished for that certificate which would enable him to vote, must take his document to the nearest supervisor of the revenue, pay down a proper fee, and have it stamped. It was at first proposed that twenty dollars should be the price of naturalization. But

at this members of the House who had themselves once been aliens cried out. The tax, said one, is excessive. Compare it with any other in the list; with that imposed on the lawyers, for instance. The man of law, on beginning a lucrative practice, is to pay ten dollars for his license. But the poor foreigner, if he wishes to become a good citizen, must, should the bill pass, pay twice as much. This is cruel. Nay, it is shamefully inconsistent. Ever since the glorious fourth of July, 1776, our boast has been that America is the asylum of the oppressed. Come to us, we have said; come, and on a rich and free soil share with us the blessings we enjoy. Now, upon a sudden, we say to the men lured here by inducements, You must pay twenty dollars for the right to vote. Gentlemen claim it is not necessary for an Irishman, or a Frenchman, or a Scotchman to become a citizen. He can make a living, and a good living, without being naturalized. To be sure he can. But is it not necessary for us to naturalize him? Is it safe to have in our cities, on our farms, all over our land, thousands of men who owe no allegiance to the Government? These emigrants, we are answered, may be bad men, highwaymen. If so, they will be precisely the men to feel the tax least. To whom will twenty dollars be the greater sum: to the robber who takes it at the pistol's mouth from the passer-by, or to the honest farmer who earns it from the soil with the plough? Gentlemen seemed to want only rich emigrants. The poor Irishman flying from the hearth-tax, the forlorn wanderer escaped from the despotism of Europe, they would keep out.

Why, it was asked, was so much said about the good the country would derive from the emigrants, and not a word uttered about the good the emigrants would derive from the country? They were to get, for twenty dollars, a share in all the blessings Americans had bought with an immense expenditure of treasure and blood. The door for emigrants was open too wide. It would be wise to close it a little. Too many foreigners came to the States. Already they were out of all proportion to native citizens. When the country, said Otis, was new, it may have been good policy to admit all. But it is so no longer. A bar should be placed against the admittance of those restless people who cannot be tranquil and happy at

home. We do not want "a vast horde of wild Irishmen let loose upon us." When the bill passed, the proposed tax was reduced to five dollars.

This display of native Americanism was bitterly resented. "The man with more than one shirt" must have been brought in contact with a strange kind of foreigners. If Irishmen were "wild" in New England, they were so nowhere else. Philadelphia had, he was reminded, as large a share of them as any city in the land. Yet there they were men of learning, men of energy, men of business enterprise and push. Philadelphia, at least, owed much to her foreigners. For six years the city had sent an Irishman to Congress. He had been succeeded by an Englishman. A Scotchman, in 1784, set up the first office in the city for the printing of books exclusively. Now there were thirty. Another Scotchman had reprinted the Encyclopædia. A splendid Bible, to cost twenty dollars, was in press by two Englishmen. Guthrie's Geographical Grammar, costing sixteen dollars, was reprinted by an Irishman. The first edition of Shakespeare ever printed in America was the work of two Irish lads. Were such men to be told they might as well have stayed at home? Would the United States be better off without them? Had Philadelphians forgotten the day when four booksellers held a grave consultation on the publishing of a few hundred copies of Dilworth's Speller? With a couple of exceptions, the whole trade in books was in the hands of foreigners. Of the five daily newspapers in Philadelphia, two were owned by Irishmen and two by Englishmen. One of these, the Pennsylvania Gazette, netted its owner sixteen thousand dollars yearly. When Congress wanted a stenographer, it was compelled to employ an Englishman. He left, and an Irishman took his place. How many school-masters were Irishmen? The British faction might lament the arrival of these men, but every true patriot would wish long life to the revolutions and disturbances that drove so many men of marked ability to seek a refuge on our shores.

But of all the issues that came from the press in 1797, none found so ready a sale as a pamphlet by Alexander Hamilton and a book by James Monroe. After waiting in France

till the dangers of a winter voyage were passed, Monroe set sail, and reached Philadelphia late in June. Almost his first act after landing was to begin a correspondence with the Secretary of State. He would know the reasons for his recall; he would justify himself against any imputations that had been or were intended to be raised against him. Some reasons had been given; others, he felt, had been intimated. These he requested to know as a matter of right. Undoubtedly the Executive had the power to censure and recall a public minister; but that power ought always to be exercised according to the strict rules of justice.* For twelve days he waited impatiently for a response, then wrote again.† To this note an answer came. The request, Pickering replied, was unexpected. Save of the justices of the Supreme Court, the tenure of all Government offices was at the will of the President alone. This was constitutional. It was clearly not intended that the expediency of particular acts of the President's will should be submitted to trial by discussion in the public prints. ‡ Monroe replied. He expressed astonishment at the doctrines the Secretary announced, wrote much about the blessings of an honest fame, and declared he never would suffer himself to be robbed of it by any description of persons under any pretence whatever. Do you suppose, were his words, that the power given to the Executive to censure and remove public ministers allows him to do so without proper cause? Do you suppose that the Executive is not accountable to the party injured and to the people of the United States? Such doctrine is against the Constitution. It becomes the meridian of a country where a monarch inherits the land, and the people who dwell on it are his slaves. The administration had injured him. The situation of the United States was critical. An idea was abroad that the crisis was in some way due to him.# He then asked for a room and the aid of a clerk for a few days to revise his letters to the Department of State.

Mr. Pickering assured him that yielding to his request for reasons might prove, in times to come, an improper, inconvenient, unwise precedent. Removal did not always imply

* Monroe to Pickering, July 6, 1797.
† Monroe to Pickering, July 15, 1797.
‡ Pickering to Monroe, July 17, 1797.
# Monroe to Pickering, July 19, 1797.

misconduct. Want of confidence, bad judgment, lack of diligence and skill, was each a good cause. A minister, through mistaken zeal, might invite a course of action from a foreign power which the Executive could not approve. He might, while his dispatches were all correct, consort and become the friend of men who were the open enemies of the Government he had the honor to represent. Monroe, however, had set his mind on a public appeal. It was the fashion of his day, and he could not resist it; yet the practice of appeal was, in general, the resort of shallow politicians and of foolish men. Genet had made a threat to do so; Adet had carried the threat out; Edmund Randolph had published a Vindication;* John Beckley, when he lost the clerkship of the House of Representatives, filled the journals of Philadelphia with lamentations on his fate; and now Monroe made haste to prepare "A View."† Meanwhile he sent his late correspondence to the printers of the newspapers, and begged them to put it into print.

The Federalists read Monroe's letters with jeers. Mr. Monroe, they said, was growing bold. "The blessings of an honest fame!" Who would have expected such language from the man who, when Minister to France, had over and over again eaten dirt before her five titular kings; from the man who tamely kept his seat when the President was openly insulted at a feast, and gave the shelter of his roof to Thomas Paine that the miscreant might slander and malign George Washington's "honest fame"? Had he been as bold in asserting the rights of his country as he is in demanding his own, there would have been no opportunity for the tyrants to send Charles Pinckney out of France. But there is a great difference between the Republic of France and the Republic of the United States. Here a returned minister may put on a haughty air such as becomes the true Jacobin, insult the Secretary of State, befoul the administration, demand an apology

* For another defence of Randolph, see Political Truth; or, Animadversions on the Past and Present State of Public Affairs, with an Inquiry into the Truth of the Charges preferred against Mr. Randolph, 1796.

† This was examined in detail in Reflections on Monroe's View of the Conduct of the Executive, as published in the Gazette of the United States under the signature of Scipio.

from the Executive, and call on the mob to play jury in the case. Would M. Adet have dared to assume such a tone toward the Directory when he went back to France? If he had, his head would have rolled into the basket before the sun went down. Yet France is the only land, we are told, where sweet Liberty is not in chains!

Pickering's views on the power of removal were, to the Republicans, most offensive. In the estimation of the Grand Seignior Adams, said they, his Grand Vizier Timothy, and his Mufti Oliver, the people of the United States are on the same footing as the Turks. An appeal to them is an unpardonable offence. The man who makes the appeal, therefore, merits the same punishment that would be awarded by the Divan should a Turk disturb the tranquillity of the Ottoman Empire.

At the very moment that Monroe was writing his letters to Pickering, and demanding that the administration should restore to him the "blessings of an honest fame," he was himself refusing to yield to a similar demand from Alexander Hamilton. The affair was an old one. Five years before a wretch named Clingman had been arrested for subornation of perjury. He had sought letters of administration that he might, by fraud, collect a debt due from the United States. He was detected, seized, and, in his distress, turned for help to the Speaker of the House. Muhlenberg heard the prayer and visited him in the jail. There Clingman let fall some hints. He was not the only man engaged in this kind of business. Greater men than he were buying up old claims. If his partner, Reynolds, had a mind to speak, Alexander Hamilton was a ruined man. Muhlenberg took the hint instantly, for there was nothing he longed more to see than the name of Alexander Hamilton brought low. He pressed Clingman with a few questions, and then hurried away. But the news was too good to keep He must tell it to somebody. So he told it to Abraham Venable, a member of the House, and to James Monroe, of the Senate. These three men then began to play a part that would have been shameful in a pimp. Burning with Republican zeal, they set off to find Reynolds in his cell, for he, too, as a partner of Clingman, had been placed under arrest. They questioned him, and he answered them in a

manner that would have done credit to an oracle of Greece. But he would say nothing definite till he was free. The moment he was released he fled, and left Monroe and Muhlenberg to seek information from his wife. She admitted that Hamilton had written her husband many notes. But he had burned them at the Secretary's request. Mr. Hamilton had been very kind to her, and to her husband too. Not out of friendship, but because Mr. Reynolds, if he had a mind to, could tell things that would make the heads of some departments tremble. She produced two notes from Hamilton's hand.

This done, the Speaker, the senator, and the representative went back to Clingman, put down in writing, and had him sign, the substance of the talk, obtained a few more notes, made and signed memoranda of the conversations held with Reynolds and his wife, and then laid all the documents before the Secretary, and asked him to explain. Hamilton owned the notes, and named the evening of the same day for the explanation.* He then told them Mrs. Reynolds had been his mistress, that the husband knew it, had pretended to find it out, had received a thousand dollars to silence his complaints, had declared it enough, had then demanded more, had received some, and, when at last refused, had turned to them for purposes of revenge. A huge bundle of notes from Mrs. Reynolds and her husband was brought out, and Hamilton began to read. But he had not read many when two of the dupes, overcome with shame at the part they had played, begged him to stop.† The Secretary went on, and, when the visitors were gone, wrote to each for copies of the papers and statements they had shown. The notes, he hoped, would be kept from their owners lest they should, at some future time, be used for mischief. Copies were sent, and with them came a promise from Monroe that the request of Hamilton should "be most strictly complied with." ‡

But Monroe broke his promise. The request was not strictly complied with; the papers were turned to a mischiev-

* Observations on certain Documents contained in Nos. V and VI of The History of the United States for the Year 1796, in which the charge of Speculation against Alexander Hamilton, late Secretary of the Treasury, is fully refuted. Written by Himself. 1797, p. 27. † Ibid., pp. 27 and xxx. ‡ Ibid., p. xxxvi.

ous use. When he set out, in 1794, for France, the letters passed to "a respectable character in Virginia," and thence to the hands of the vilest of all the men who, at that day, spread scandal and wrote lampoons for a living.

James Thomson Callender was a Scotchman of whom nothing good is known. He had the pen of a ready writer and the brazen forehead of a knave. In Scotland he wrote a pamphlet which he called "The Political Progress of Great Britain," was driven from the country, fled to the United States, where, like Freneau, like Duane, like John Wood, like every man who, for a few shillings, would laud France and slander the administration, he was taken up and helped by Jefferson. He became, in short, what might well be called a Jeffersonian hack. His business was to gather all the political scandal, all the foul abuse, all the libels, all the mean lies that circulated through the press, to distort congressional speeches, to misinterpret good acts, to attribute false motives, to digest the scurrility of the Aurora, of the Argus, of the Independent Chronicle, and once a year send out the whole mass in the form of a book. He began this career in 1795 by republishing the "Political Progress" and reporting congressional debates. The "American Annual Register, or Historical Memoirs of the United States for the Year 1796," appeared the year following. In 1797 came "The History of the United States for 1796," and, in 1798, "Sketches of the History of America." The "History" was published in eight parts by subscription,* and contained, in Numbers V and VI, the documents Muhlenberg and Venable had deposited with Monroe, and which Monroe had promised Hamilton should never be put to a mischievous use. Copies had been furnished Callender by "a respectable character in Virginia," and that respectable character was, beyond all doubt, Thomas Jefferson himself.

Monroe was soon visited and asked to explain.† One paper, in particular, needed from him a few words. It was signed by him alone, and implied that the letters were all

* Aurora, May 6, 1797, contains the advertisement.

† Observations on Certain Documents contained in Nos. V and VI of The History of the United States for the Year 1796, etc., p. 29.

forged, and that Hamilton had prepared them that he might, by owning adultery, prevent a charge of misconduct in a high place of trust.* An explanation of this Monroe most shamefully refused to give. In a few weeks, therefore, Hamilton, with a plain statement of his crime, put his whole correspondence with Mrs. Reynolds in print.† While the Republicans rejoiced over what they called Hamilton's confession, the Federalists were equally joyful over the expulsion of William Blount, a Republican senator from the new State of Tennessee.

On the morning of Monday, July third, the President's secretary came down to the House with a message in writing, and a bundle of reports and documents from the Secretary of State and the Secretary of War. Among them were some papers disclosing a plan for the invasion of Spanish territory by citizens of the United States. Fears of an attack on upper Louisiana by the British had already been mentioned by the Spanish Minister to the Secretary of State; had been made known to the English Minister; had been denied, and the assurance given by Pickering to Don Carlos de Yrujo that his suspicions were without cause. But the Minister would not be convinced. Again he expressed his belief that an attack was being planned; again Liston, the English Minister was addressed on the subject, and again a denial was returned. There had, the Englishman admitted, been some talk of invading the Spanish possessions in the South. Early in the winter a man named Chisholm called on him and proposed an expedition against the Floridas. England was to send a fleet to New Orleans or Mobile. Chisholm was to lead a band of Americans and Indians over the border. Liston, having heard the plan, objected. The thing was impossible. It would be an open violation of the neutral rights of the United States. This Chisholm denied. The men, he said, going from the States would march unarmed. Still the English Minister would not sanction it. He had, he protested, no authority to do so.

* Observations on Certain Documents contained in Nos. V and VI of The History of the United States for the Year 1796, etc., p. 29.

† Ibid. For some strictures on the behavior of Monroe, see Hamilton versus Monroe, or Great Talents contrasted with Folly; and Public Virtue with Public Infidelity.

Thereupon Chisholm asked if the Governor-General of Canada would sanction it. He was told that all that could be done was to write to England and wait for the reply. This might come soon. It might be long in coming. It might not come at all. For several months Chisholm chafed and waited. At last his patience gave out, he hastened back to Liston, and begged hard for leave to go to England himself for the reply. With a show of reluctance, leave was given. A vessel to sail for London was soon found, Chisholm's passage paid, a draft for twenty pounds on a London banker given him, and a package of letters covered with lead, which, should the French take the vessel, Chisholm was bidden to throw into the sea. But he was a babbler, and, before the ship set sail, had shown his letters to a merchant, to a tavern-keeper, to a number of strange men, and had two months before explained the whole plan to James Carey, of Tennessee. Carey was interpreter to the Cherokee Indians, was assistant at the Tellico Block-House public stores, and had come to Philadelphia with the Cherokee chiefs. There he fell in with Chisholm, heard his plan, saw some of the letters, and spoke of his adventures to William Blount. The senator affected to make light of the matter. But the interpreter was no sooner back at Tellico than Blount wrote him a long note. The affair Captain Chisholm had talked of was likely to come off in the fall. If the Indians would do their part, it must succeed. A man of much consequence had gone to England. He would probably arrange affairs. If he did, Blount would likely take part in the business himself at the head of the British force. But Carey must be cautious. A single careless word, and each one concerned in the expedition was a ruined man.*

* "I believe, but am not quite sure, that the plan then talked of will be attempted this fall; and if it is attempted, it will be in a much larger way than then talked of; and if the Indians act their part, I have no doubt but it will succeed. A man of consequence has gone to England about the business, and if he makes arrangements as he expects, I shall myself have a hand in the business, and probably shall be at the head of the business on the part of the British. You are, however, to understand that it is not quite certain that the plan will be attempted; yet you will do well to keep things in a proper train of action, in case it should be attempted, and to do so will require all your management—I say require all your management, because you must take care, in whatever you say to

The letter caused Carey great uneasiness and alarm. He longed to serve William Blount. He had sworn to serve the United States. What to do he knew not, and, in his uncertainty, consulted a clerk in his employ. The clerk bade him "consider his oath." This did not content him, and a second man was consulted, and shown the note. On the assurance that the public ought to know of it, Carey gave it up, and the contents were soon in the newspapers. In a few weeks a copy was in the hands of the Secretary of War and of the Secretary of State. The English Minister was at once addressed. Pickering reminded him of the denial of a plan to invade Louisiana from the upper lakes, and asked if he knew of a project to invade it elsewhere. This question was not based on a vague suspicion. Undoubted information, he was told, had come to hand, and in it the British Minister was named.

The next day brought Liston's reply. He admitted the visit, the plan, the mission to England, but declined to mention any names. The day following, copies of the letter of Blount to Carey, of Pickering to Liston, and the reply, were laid before the Senate and the House. The case against Blount was thought a plain one. A committee was appointed by the Senate to report what should be done with him, and, while they were debating the report, proceedings were interrupted by a messenger from the House. The Attorney-General had been consulted by a member, and had given it as his opinion that the Carey letter was evidence of a crime; that the crime was a misdemeanor; and that the writer, if Blount, was liable to impeachment. The Republicans, led on by Gallatin, raised the question of the constitutional right of the House to impeach a senator. That right, by the fourth section of the second article, was extended over the President, the Vice-President, and all civil officers of the United States. A senator was none of these. Even if he were a civil officer, how could he be impeached for offences not in the line of his official duty?

Rogers, or anybody else, not to let the plan be discovered by Hawkins, Densmore, Byers, or any other person in the interest of the United States or Spain. . . . Can't Rogers contrive to get the Creeks to desire the President to take Hawkins out of the Creek nation? for, if he stays in the Creek nation, and gets the goodwill of the nation, he can and will do great injury to our plans. When you have read this letter over three times, then burn it. . . ."

On that principle, the Federalists contended, it would not be possible to remove a justice of the Supreme Court for making war on the United States, because he is not a civil officer, and waging war is out of the line of his official duty. Again, if a legislator were not an office-holder in the meaning of the Constitution, he might take presents and titles of nobility from foreign powers, because the prohibition in the Constitution merely applies to "persons holding any office of profit or trust under" the United States. Would the House support such a doctrine? The House would not; impeached Blount of high crimes and misdemeanors, and demanded that he should be "sequestered" of his seat. The Senate readily complied, and on July eighth he was expelled. Nor was he suffered to leave the custody of the messenger of the Senate till he gave bonds himself in the sum of one thousand dollars, with two sureties of five hundred dollars each, to come and answer such articles of impeachment as might be exhibited against him by the House.

Blount, at first, hid himself, and so put all manner of rumors afloat. He had fled. He had been arrested. He had escaped. His papers were not to be found. The truth was, when the letter to Carey became public he did seek to go southward. A pilot-boat was chartered to carry him to Ocracoke bar, his trunk was sent on board, and he soon followed it himself. But, while the captain was waiting for his clearance papers, the officers of justice came on board. The trunk was seized. Blount, not being known to them, was suffered to go free.* So firm was the popular belief that he had fled from justice that, a month after he had been liberated on his bond, as he rode along an unfrequented road near the Virginia village of Staunton, a troop of horse went after him, brought him back to Staunton, and there detained him till word came that he had been released on bail.†

No one could declare him innocent. Even his own friends did not attempt it, but attacked the English Minister and the Secretary of State. Who, they demanded, could read the fawning, canting letter of the man Timothy and not blush from very

* New World, July 6, 1797.

† When tried in 1798 the Senate decided ". . . that this Court ought not to hold jurisdiction of the said impeachment, and that the said impeachment is dismissed."

shame? "Will you permit me to inquire?" writes he. Permit! He had a right to demand an explanation. "The President," writes Timothy, "received great satisfaction from the tone of your reply." Now who will say that our Government is not partial?* Compare this humble tone and gentle treatment of Liston with the shameful cruelty exercised on Genet. Was the proof of Genet's threat to appeal to the people more fully established than Liston's conspiracy? By no means. Yet Genet was denounced and his recall demanded. Liston is thought harmless as a dove. And why was Genet denounced? Because he was an honest and a clear-headed man, and Minister from the Republic of France. And why is Liston caressed? Because he has talents for corruption and intrigue, and is Minister from the English court. Why was Genet's recall desired? Because he stood in the way of the machinations of the Government. Why is Liston still suffered to remain? Because between him and the Executive an improper understanding exists. The people have too long been blinded by what are known as "Federal men and Federal measures." It is now high time this Federalism was looked into. Federalism means English guineas, English rule, English interference in American affairs. Look at the man Timothy, and say, if you can, he is fit to be Secretary of State. But Tim is a Federalist, and that is enough for Liston and the ministry of the crazy British king. There, too, is Oliver, deemed so trustworthy by the late Minister Hammond. Oliver is likewise a Federalist, and was frantic for the ratification of the treaty of John Jay. This British faction is now eager for the speedy trial of Senator Blount. They would act at once. Then will the people be led into the belief that the vile conspiracy is, from first to last, a piece of Republican work. Then will much evidence, which a less hasty investigation would furnish, be kept back. Before the House rose, its committee to report articles of impeachment was bidden to sit through the recess, take testimony, send for papers and men, and, if possible, find out what parties were joined in the plot with William Blount.

For eight weeks the Senate and the House had been sitting. When they adjourned, the defence of the country was thought

* Aurora, July 10, 1797.

to be fully cared for. The States were called on to have eighty thousand militia ready to march at a moment's notice. Gunsmiths and cannon-founders, sabre-makers and powder-millers, were forbidden to send arms or ammunition abroad. A great sum was voted to put up breastworks and earth-forts along the coast; three frigates were ordered to be armed and manned; the number of revenue-cutters was increased, and commissioners were dispatched to make terms with France.*

The commissioners were announced to be Charles C. Pinckney, John Marshall, and Elbridge Gerry. Marshall was the last to set out. But he had not gone far on his journey when the worst predictions of the preachers on fast-day seemed fulfilled. God, they had said, would curse the land and sorely afflict it if the rulers and the people gave any comfort to the murderers and regicides of France. When the yellow fever was known to have appeared in each city from which the envoys sailed, it was pronounced by pious men a manifestation of divine wrath. Worldly men said it was imported. Proof existed that it came from the Indies. Some laid it to the atmosphere, others to the filth in the docks and streets. The disorder broke out at Philadelphia, and was followed by unusual alarm. Men who, in the terrible days of 1793, in 1795, and again in 1796, had never for a moment thought of hurrying away, now shut their houses and fled. A peculiar malevolence was thought to attend the fever. Of every five taken down, but one, it was commonly believed, got well. The ingenuity of the ablest doctors could devise nothing to hold it in check. At such a time a man of sense and judgment would have spared no pains to quiet fear,

* The best statement of the Federal side of the quarrel with France was made by Robert Goodloe Harper—"Goody Harper" of the Republican lampoons—in a speech in the House, May 29, 1797, and in Observations on the Dispute between the United States and France, addressed by Robert G. Harper, Esq., of South Carolina, to his Constituents, in May, 1797. The pamphlet went through six editions in England and four in this country in less than a year, and was translated into French. See Observations sur les Démêlés entre les États-Unis et la France; Adressées par Robert Goodloe Harper, Esq. L'un des Représentans au Congrès pour la Caroline Méridionale, à ses Commettans, en Mai, 1797. Another Federal pamplet was The Antigallican; or, The Lover of his own Country, in a Series of Papers, partly heretofore published and partly new, wherein French Influence and False Patriotism are fully and fairly displayed. By a Citizen of New England, December, 1797.

and allay excitement of every kind. But Governor Thomas Mifflin possessed no tact save that peculiar tact which makes men leaders of parties, and puts them in the high places of the State. What the doctors could not cure with medicine he would cure by fines, by penalties, by yellow flags, by the rigorous execution of a silly law.* Yellow fever was, he proclaimed, contagious. All communication, therefore, with the wharves and houses of the infected district† must be cut off. Streets must be barricaded, yellow flags must be hung from infected houses, dwellers in the adjoining houses must instantly remove, men sick of the fever must be carried out of town. To climb over the barricades, to talk to a fever-stricken person, to go into a house from which a yellow flag was hung, was to be subject to a fine of three hundred dollars. Whoever refused to admit an inspector to his house, whoever hindered him in putting up a flag, whoever pulled one down when once put up, was to be carried to the hospital on State Island, and kept there for thirty days. Half of all fines went to the informers.

The effect was most pitiable. Before a week elapsed the proclamation was more dreaded than the disease. If a flag appeared before a house, the whole neighborhood fled into the country. The demand for physicians on a sudden almost ceased. Ignorant of the symptoms of the malady, men no longer dared to summon a doctor to prescribe for a pain in the back lest they should be pronounced fit subjects for the Wigwam, and hurried there to die. Rumors of shameful deeds done by the inspectors passed from mouth to mouth, and were believed. One told of a mother torn from her little family because an ignorant doctor had declared her complaint the putrid fever. Another had heard of a man of wealth whom the inspectors found lying sick of a bilious fever. They pronounced it the contagion. He protested it was not, and, on his knees, offered untold sums to be left in his own house. But the hard-hearted agents threw him into a wagon and took him to the hospital, where he soon caught the fever and died. Such tales, grossly exaggerated, were believed by every one.

* See his Proclamation.

† South street, Front street, Spruce street, and the river.

Nobody knew when his own turn might come. To be sick, it was said, was no longer necessary. Mere suspicion that he might be was enough to send a man to some infected hospital, where, surrounded by the most malignant cases, tormented by fear, overcome by anxiety for the safety of those he held dear, he would himself be stricken down. Then the inspectors would name him as an instance of the keenness of their judgment and the excellence of their medical skill. Then they would boast how they had detected the symptoms of the fever when his physician, when his friends, when the patient himself, solemnly protested he was a well man. Then these minions of power would become more insolent and overbearing than ever. Each one of them who nursed a grudge or cherished a mean political hatred would henceforth have his victim in his power. From these terrors there was but one way of escape, and that was in flight. So many fled that the state of the city became most deplorable. The shops were deserted, the wharves were no longer covered with hogsheads and bales, thousands of laborers were thrown out of work. Alarmed by the stories which spread through the country, the farmers ceased to bring their supplies. The stalls of the market-place were empty, while long trains of Conestoga wagons, heavy with grain and cheese and flour, wound southward and choked the streets of Baltimore.

Letters and protests against the proclamation came to the Governor every day. Matched, said Peter Porcupine, it cannot be without the limits of Republican France. Were a member of Parliament to propose such a measure, his brains would be knocked out before he had gone a hundred yards from the House. What! enter my house by force, and drag thence my wife or my child for no other offence than that of being sick! And if I insist on defending them, fine me or transport me to State Island! Pray, good Mr. Thomas Mifflin, tell us in what tyranny consists. Many of us begin to fear that it is fast growing up in America.* A surgeon-major on one of the French ships denounced the proclamation, and gave some remedies for the fever.† But no one spoke with more authority than Jean Devèze. He was a physician, had treated the disease

* Porcupine's Gazette, August 26, 1797. † Aurora, September 1, 1797.

with success in Jamaica, and had, in the awful days of 1793, with Stephen Girard and Peter Helm, nursed the sick at Bush Hill. He now assured the Governor that everything productive of consternation or of fear should be carefully avoided. Nothing was less rational than the publications, the sick lists, the death lists, which daily filled the papers. The display of yellow flags, the barricading of the streets, the carrying away of citizens by force, was most pernicious. Scenes of this kind spread terror among the people. Humanity revolted at such cruelty. The Turks had never been guilty of it. At Marseilles, when the fever was raging fiercely, acts so barbarous had not even been thought of.* The inspectors of the health office protested that they were greatly maligned. Sick people had not been removed unless the attending physicians pronounced it necessary. In no case had force been used, or even contemplated. Flags had been placed at a few doors to prevent unnecessary approach. One fence had been put up at Penn street, where the fever raged with peculiar malignancy. This was all. As for the hospital, it was in fine order. The sick were well cared for, and their families were given accommodation in tents near by.†

What was then thought good care would now be considered as barbarous treatment. Gentlemen of the medical profession were at a loss to know what to prescribe, and, in their ignorance, began to quarrel and dispute. Two hostile schools sprang up. At the head of the one was William Currie. Benjamin Rush led the other. The Currie men declared the fever was imported and contagious. The Rush school maintained that it was not. Filthy streets, they held, and loathsome alleys had much to do with the sickness, and they urged the use of mercurial purges and the copious letting of blood. If the patient would but attend to the fever in time, his chances of recovery were ninety-nine in one hundred. He needed no physician. Let him go to the nearest apothecary, purchase one of Rush's mercurial purges, take it on the first symptoms of yellow fever, lose ten or twelve ounces of blood, and keep up the purging and bleeding till his health was restored. If, said the opponents of Rush, the man ever does recover, it will be by God's

* Aurora, September 2, 1797. † Ibid., September 4, 1797.

will, and for a special end. A patient who cannot be killed by the fever, salivation, and bleeding combined, must surely have been born to be hanged or drowned. Against this a number of men well known in the community came forward to testify. One had been under the lancet twenty-two times in ten days, had lost one hundred and seventy-six ounces, and was a well man.* Another had twice been sick of the fever, had been blistered, had taken mercury freely, and, in fifteen bleedings, had lost one hundred and fifty ounces.† A third had lost one hundred and twenty-six; a fourth one hundred and ten.‡ From a little child of six years thirty ounces of blood had been drawn. And what of this? it was asked. What good can it do to name forty men whom it has been found impossible to bleed to death, when we each know of three who have fallen victims to the practice for every one carried through? In Gil Blas was a fine summary of the materia medica of certain bloody disciples of Galen. Sangrado had his venesections and his potions of warm water. He, too, bled his patients, and kept on bleeding, and, when twenty died each day, declared that death was caused by not being bled enough. Benjamin Rush, said his enemies, is the modern Sangrado. His notions are old; he has borrowed them from the East Indies. There they have been in use for years. Yet he assumes to himself the credit of being a benefactor of the human race. He is puffed up with ambition. He will consult with no one who is not his pupil and does not walk in his way. Other doctors are, in his language, "inexperienced practitioners." Yet he is ever ready to meddle with other men's patients. Has he not sent two ignorant negroes about the by-ways and alleys to purge and bleed men, women, and children without regard to their constitutions or their state of health? Enthusiasm has deprived him of his wits. Who has not heard how he drove through Kensington with a negro in a gig, and cried out, "Purge and bleed all Kensington; drive on, boy"? To meet him is enough to make a well man sick. He is constantly stopping citizens upon the street, and bidding them go home and nurse the fever. "You've got it!

* Letter of Dr. Philip Syng Physick. Gazette of the United States, September 14, 1797. † Ibid., October 2, 1797. ‡ Ibid., October 10, 1797.

you've got it!" is his salutation to every pale face he meets. Some he has terrified into chilly fits; some into relapses; some into convulsions; some into the grave.* Blood-letting, was the response, might at times fail to cure. Many cases were not wanting. But they all fell under one of five causes. The remedy might not have been applied in the early stages of the malady, or used in proportion to the violence of the disease, or neglected during the "exacerbation of the fever." Possibly the patient had been given animal food too soon. His constitution, again, might have been broken down by gross habits or intemperance in drink. The public had become alarmed at the amount of blood which, in several cases, had been drawn. There was no need of this fear. In the body of every adult of middle size were, at least, four hundred or four hundred and fifty ounces.*

While the doctors wrangled the people perished. In September the death-rate rose to sixty-eight in two days. The city was almost deserted. Divine service was no longer held in the churches. Justice ceased to be administered in the courts. Even the public offices were shut. The President was at Braintree. The War Office was at the Falls of the Schuylkill. The Treasury was at Gray's Ferry. The State Department was at Trenton. The Attorney-General was in Virginia. The Custom-House at Chester. The Post-Office found shelter in a stable beyond the outskirts of the town. Sixteen business houses moved to Wilmington. Twenty-three men put up their shutters. The banks of the Schuylkill were white with tents, where food and clothes and shelter were given to the poor. Five hundred and twenty laborers were without work. These were put to mending the roads, and, for a time, received seventy-five cents each day. But the money set apart for their needs by the Legislature ran low, the pittance was cut down to fifty cents, and it seemed quite likely that the fund would be exhausted long before the fever ceased to rage.

Common as the practice was, excellent as all men allowed it to be, many felt that, in the treatment of the yellow fever,

* Letter from Dr. John Redman Coxe. Merchant's Daily Advertiser, September 13, 1797.

blood-letting had been carried to a gross excess. After the manner of the times, every one who had an opinion on the matter rushed into print. By the middle of October, Medicus Spectator and Medicus Spectator Alter, Currie-Comb and Eugenio, Acastos and Censor, Dr. Currie and Dr. Coxe, Dr. Caldwell, Noah Webster, and the printer of Porcupine's Gazette, were deep in the dispute. From arguments they passed to ridicule, from ridicule to abuse, and, before they had done, to canings, challenges, and suits at law. One day some strictures on Rush's claims to immortality appeared in the columns of the United States Gazette. He attributed the paper to Dr. Ross, but did nothing. Thereupon the son, John Rush, took up the matter, and sent a note to the supposed traducer. The doctor declared he was not the author, and told the messenger, when about to depart, that John Rush was an "impudent puppy." This was not to be borne. The young man waylaid Ross, and, old as he was, beat him with a cane. A challenge was now sent to the elder Rush, who, it was believed, had set on the son. Rush, like a man of sense, declined it, and the son put the whole correspondence into print. On this, Cobbett made some remarks. Many a man, he said, was bold with a lancet who was a coward with a sword. This turned the rage of John Rush against Cobbett, and called forth a reply full of that peculiar abuse which is the argument of an angry man.

Porcupine, however, took no notice, for he was then engaged in a far more serious quarrel with a man of far greater weight. His Catholic Majesty had sent out a Spaniard named Don Carlos Martinez de Yrujo, or, as Cobbett called him, Don Yarico, to be Minister to the United States from Spain. The purpose of his mission was speedily announced in a note to the Secretary of State. He represented that his master, anxious to preserve and strengthen the peace so long existing with America, had ratified the treaty of October twenty-seventh, 1795; had opened the Mississippi to the sea; had ceded a goodly strip of territory; had agreed to run the boundary-line between Florida and the United States; and had, in the interests of humanity, adopted the principle, free ships make free goods. His Majesty was therefore greatly surprised to learn that, almost at the same time, a very different kind of a treaty was

making with Great Britain, and that the definition of neutrality maintained in the instrument negotiated by Mr. Pinckney had no place in the instrument negotiated by Mr. Jay. Against this contract it was the duty of the Minister to protest, and he protested on three grounds: it did not provide that a neutral flag should be a cover to a belligerent's goods; it made ship-timber, rosin and tar, hemp, cordage, sails, and copper in sheets, contraband of war; it gave to England the right of navigation on the Mississippi, a right the United States only acquired by the treaty with Spain.

Honest as the complaint seemed to be, the dullest politician knew well what it meant. It came from Madrid, but was dictated at Paris, and was another showing of the high displeasure the British treaty had given the insolent Republic of France. The unhappy being who sat upon the throne of Spain was a king but in name. The will of the Directory was his will, and his will was displayed in the first news that came from Natchez. Governor Gayoso, Pickering was assured, would not suffer the boundary-line to be drawn; would not give up the posts north of latitude thirty-one; had increased the forces at Natchez and Walnut Hills; had fortified St. Louis; had roused the Indians; and sent rowing galleys, armed with cannon, above the mouth of the Ohio. Later, the cause for this activity was given out to be dread of an invasion from Canada. The excuse was false. Yrujo did not so much as suspect the plot of Blount till the twenty-sixth of February. Yet the garrison at Natchez was strengthened in February, and St. Louis fortified early in March.

Pickering made this Spanish demonstration the subject of a long report. The House ordered it printed. Yrujo sent to the Secretary a most arrogant reply, for which he was praised by the Republicans and vigorously attacked in Porcupine's Gazette. Ever since Spain, observed the writer, has been ruled by princes of the Bourbon family, her name has been disgraced in peace and in war. Every important measure has been directed by the crooked politics of France. This had always been apparent, but never so apparent as in the present reign and at the present time. The degenerate prince who then sat upon the Spanish throne seemed destitute not only of

the dignity of a king, but of the common virtues of a man. To ally himself to the murderers of a benevolent prince, the flower of his family, was not enough. He had become the tool of their most nefarious politics. As was the King at home, so was the Minister abroad. The nod of the five despots at Paris governed Charles. The French agents in America ruled Don Yarico. The infidel tyrants had seen fit to insult and rob the United States. The obsequious, imitative Don must therefore attempt the same.* A week later the Minister was called a frivolous Spaniard, half Don and half Sans Culotte.† Still another week and his master was again attacked for Don Yarico's conspiracy with William Blount. ‡

Abuse quite as rancorous was daily published by the Republicans on every crowned head in Europe, and no notice taken by their ministers. Hardly a newspaper can be named that had a good word for any king or queen. Now the Queen of Portugal is a "crazy lady" and "a lunatic"; the Emperor of Germany is "a scoundrel" and a "thief"; the King of Prussia a "sharper"; the Empress of Russia "a she-bear." The Aurora itself had, a score of times, abused the King of England far more roundly than Porcupine's Gazette had ever abused the King of Spain. George III was "a monster, a king of sea robbers"; "a prince of robbers"; "a prince of land and sea robbers." The English were "the perfidious nation," "the bloody, savage islanders." Their government was "a mixture of tyranny, profligacy, brutality, and corruption." Nor were the Spaniards suffered to escape. One day the readers of the Aurora are assured that "the slaves of Madrid will soon shrink from the conquerors of Toulon." On another day the Spanish people are called "the most cowardly of the human race," and their army "the ignorant soldiery of the infamous tyrant of Castile."

But Don Yrujo determined that the defamation of King Charles and his subjects by the Federal press at least should go on no longer, and complained to the Secretary of State of a number of slanderous articles in Porcupine's Gazette. The prayer was heard, and Peter Porcupine bound over to stand

* Porcupine's Gazette, July 17, 1797.

† Ibid., July 24, 1797.

‡ Ibid., July 3, 1794.

trial in the Federal District Court before Judge Peters. With this the Minister should have been content. But he now asked to be allowed to name his own court, and, with strange indecency, chose Pennsylvania's Supreme Court. There as Chief Justice sat Thomas McKean, and the daughter of Thomas McKean was soon to be Yrujo's wife. The request was not granted. Thereupon new libels were hunted up, and the State of Pennsylvania petitioned to begin a prosecution. In a few days an indictment was drawn, a warrant was out, and Porcupine under arrest. When the trial came on, McKean took the part of a witness and a judge. His charge to the jury was a fine one. His explanation of the law of libel did him credit. His condemnation of the ribaldry, the scurrility, the slanderous charges made daily by writers of pamphlets, and contributors to Federal and Republican journals, was richly deserved. Libelling, he declared, had become a kind of national crime. It marked off the American people not only from neighboring countries, but from the whole civilized world. American satire was billingsgate. The struggle had been who could call names with the greatest variety of phrase, who could mangle the largest number of characters, who could tell the most shameful lies. Had he ended his charge with these remarks he would have done well. But he went on, forgot that he was a judge, became an advocate, and, in turn, libelled the prisoner at the bar. Impressed with the duties of his station, he had, the jury were told, "used some endeavors for checking these evils by binding over the editor and printer of one of them, licentious and virulent beyond all former example, to his good behavior." Violent as Cobbett was, he could not, with truth, be called the worst of political writers. That libel would certainly have been atrocious for which a parallel could not easily have been found in the columns of the Argus or the Aurora. From the day he wrote "Observations on the Emigration of Doctor Priestley" to the day he published the seventh number of the "Rush-Light," he had, as a pamphleteer, no equal in the land. The jury, after listening to the charge, returned the bill, ignoramus.*

* Cobbett's history of the affair is given in The Republican Judge, or the American Liberty of the Press, as exhibited, explained, and exposed in the Base

It was now the end of November, and the city began to assume its usual look. The early frosts had checked the fever. The poor had been removed from the tents, the shops had opened, the Federal officers had returned, and, on the tenth of the month, the President came back from Braintree. Some ardent Federalists determined to make his arrival an occasion for a great display of love and zeal. All the towns through which he passed from Braintree to Newark had given him at least a welcome or a feast. Surely his friends in Philadelphia would not do less. The Adjutant-General thought the reception should be such as became the respect due to the President's high place, and the esteem felt for his person. The artillery, the infantry, the horse of the city, were, therefore, invited to parade. Every friend to order and good government, it was hoped, would be in the ranks. But for this work the militia had little liking. When Washington was President, it was said, he made several journeys to Mount Vernon. But there was no parading of the militia to escort him into town. Even when some tribute, smacking of royalty, was paid to him, all murmurs were hushed by alluding to his great services in the war. What has John Adams done? Nothing. Yet the merchant must quit his counter, the artisan put aside his tools, the tradesman close his shop, and all go forth and greet—the Duke of Braintree, the libeller of Republican government in America. Let the British faction go if they wish, and bear a litter with them, and put the godlike man in it and carry him home, lest a spring break, or a wheel come off his carriage, and a life so dear to our countrymen be placed in jeopardy. But let every lover of liberty show his "respect" by keeping away. All along the route of his triumphal march to the Capital his Serene Highness has been richly entertained at feasts. Yet at these Federal festivals no respect was paid; no, not even mention was made of the second officer of state. Why, on the long list of toasts, is the name of the Vice-President not found? Was not the vote of Pennsylvania cast in favor of Mr. Jefferson for President? Surely, if respect is to be paid in Pennsylvania to the man who was not

and Partial Prosecution of William Cobbett, for a Pretended Libel against the King of Spain and the Ambassador, before the Supreme Court of Pennsylvania.

the choice of the State, respect ought to be paid out of Pennsylvania to the name of the man who was. Shall Federalists insult Jefferson, and Republicans do Adams homage? Are the militia a set of asses to bear every burden made ready for their backs? *

A few militia-men paraded. One troop, said the Aurora, numbered twelve men, another eighteen, a third as many as twenty-four. These set out in solemn array in the forenoon. By three in the afternoon they came back, marching before, behind, and around the carriage in which sat his Serene Highness of Braintree. Naval officers and collectors of excise brought up the rear. The greatest possible order prevailed. Not a whisper was heard. No gaping multitude rent the air with shouts. No martial music disturbed the quiet of the scene. A funeral could not have been more decorous. Two or three constables, to be sure, attended at his Highness's door, and sought to make some disturbance. "Huzza!" cried they as his Highness mounted the steps. But all was still as death. "Huzza!" again shouted the constables, "won't you huzza for the President?" Thereupon some boys cried "Huzza!" and the President went in and shut the door.† The Federalists declared this description was a base libel. The Republicans maintained, and truly, that it was not.

When enough senators and representatives had come into the city to make a quorum of each House, Adams delivered his speech. He called attention to the conduct of the Spaniards in Louisiana, to their refusal to give up the posts on the Mississippi, to their hindrance of the surveyors in running the boundary-line, and to their tampering with the Indian tribes, to the forgery of American ship-papers by the belligerents, and to the awards made by the spoliation commission provided for by the treaty of Mr. Jay. The country, he thought, should be placed in a state of defence, and the interests of commerce well protected. After he had finished speaking, the Houses separated and began each to prepare a reply. When the representatives had finished, and the time had come to move that the Speaker should carry it up to the President, two members, Robert Harper and Matthew Lyon, rose at the same moment

* Aurora, November 10, 1797. † Aurora.

and addressed the Chair. Harper was recognized by the Speaker, and moved that "the Speaker, attended by the House," should carry the reply to the President. Lyon then got the floor, and stated his grievance, which was the old one of the session before. In substance he said: As I rose the first time, my purpose was to move a committee to carry the address. But I will restrain myself. I will not deprive members of the pleasure they feel when indulged with pageants and street parades. A like consideration surely will be given to my feelings, and leave granted me to remain in the House till the members return. A motion to this effect was then made. One debater thought the member from Vermont should be compelled to go out of respect to the President. Another declared the idea of obliging members to show respect by forcing them to parade the streets of Philadelphia was absurd. Respect not voluntary was worse than disrespect. A third suggested that Lyon ask leave of absence for a day or two. A fourth, that he should withdraw the motion and stay without being questioned. Gallatin held that the words "attended by the House" were used in a modified sense. The "House" strictly could not exist outside the walls of its own chamber. To make a "House," the Speaker must be in the chair. On the street they could not perform any of their duties. They could not legislate; they could not debate. The figure of the "House" was, therefore, a legal fiction. The member might go or stay.* The previous question was called, and the motion of Lyon destroyed.

The answer delivered, and the President's wine and cake consumed, the House came back to its chamber to begin the work of an exciting session. The first outbreak of sectional hate was over an antislavery petition presented on the last day of November. The Quakers drew it up. Gallatin brought it in. Four years before, the most shameful of a long series of shameful acts passed the Senate and the House, and has come down to our time under the name of the Fugitive Slave Law of 1793. For fifty-seven years it remained unaltered and in force, and during those fifty-seven years caused more misery, more injustice, more outrageous violation of the rights of men,

* Merchant's Daily Advertiser, December 1, 1797.

both black and white, than any other piece of legislation ever enacted in the United States. By the provision of the act, every slave-holder whose bondsman had been so happy as to escape had summary power to seize, hold, and drag back the fugitive, when caught, to the servitude from which he had fled. Bad as this was, the abuses to which it led were worse. For it was not long in effect before swarms of kidnappers were busy in every northern town. Negroes whose friends had bought their liberty, whose masters had set them free, who had never in their lives been slaves, were laid hold of, hurried into the holds of ships, or carried bodily to some southern auction block. Not a free black, old or young, was safe. So flagrant did the crime of kidnapping become that, in 1794, the State of Delaware begged the Federal Government to interfere. For three years the memorial and the report of the committee were trifled with before the conclusion was reached that it would not be well to interfere.* Four negroes of North Carolina next petitioned for relief. "Conscientious masters" had set them free, and the Superior Court of the State had pronounced their liberation legal. Yet the slave-owners in the face of this obtained from the Legislature an act empowering them to seize and sell free negroes found within the jurisdiction of the State. Slave-hunting became profitable; a breed of kidnappers grew up, and the four petitioners were forced to flee northward. One had been chased day and night by men and dogs, had slept in the woods, and hid in stacks in the fields till he reached Virginia soil. Another had seen his little cabin broken open by a band of ruffians, had been pursued by armed men and mastiffs, taken, bound, and with difficulty had escaped. The third owned a little plot of ground and a few utensils. But he, too, had been forced to leave his corn standing, and seek safety in flight. They merely asked as freemen to be protected in their right to live where they chose. It came out in debate that ten dollars had been offered for one of them if taken alive, and fifty dollars if found dead. Yet even this could not move the House. The petition, by a vote of fifty to thirty-three, was thrown out.† The next one came from the

* Annals of Congress, December 29, 1796, and January 18, 1797.

† Ibid., January 30, 1797.

people called Quakers. Something was said in it about the increase of dissipation and the growth of luxury in the United States, and something about the evils sure to flow from cock-fights and horse-races, gambling-dens and stage-plays. But the chief purpose of the prayer was to right the wrongs of one hundred and thirty-four negroes. They had been freed in North Carolina by the money and the influence of the Society of Friends. They had been seized and again made slaves under an *ex post facto* law of the State. This act was, in the language of the petition, "an abominable tragedy." It was sure to bring down upon the land the righteous judgment of Almighty God.

When the clerk had finished reading, Gallatin moved that the paper be read again; for the custom of the House was to have petitions read twice and then sent to the proper committees. As he took his seat a fierce debate began. This, exclaimed a member, is not the first, nor the second, nor the third time such papers have troubled the House. They are most pernicious. They tend to stir up a certain class of persons, and lead them to inflict on others calamities far greater than any of the evils these people now endure. This Legislature, and every legislature, ought to set its face against prayers of this kind. And who are these petitioners? The people called Quakers. And what has been the conduct of the Quakers? They have attempted to seduce gentlemen's servants journeying to the seat of Government; again and again they have besought Congress to do what the Constitution distinctly says it cannot do. Now, at a time when foreign nations are beholding the most barbarous, the most horrid scenes, the Quakers are eagerly seeking to incite certain persons to perpetrate like crimes in America. If I were sure the petitioners would get the strong censure they so richly deserve, I would be for commitment. But I am not sure. I am, therefore, for laying the paper on the table, nay, under the table, that we may be done with the business, not only for to-day, but forever. A law of the State of North Carolina is complained of. What has the House to do with that? Do we come here to act on matters as our feelings prompt us, or as the Constitution bids us? This petition is unconstitutional.

The Quakers might as well ask the President to come and take the Speaker's chair. Congress has nothing to do with it. The matter is one of State policy. The object of the petitioners is to sow dissension. They are not peace-makers. They are war-makers. In the South they are continually seeking to stir up the negroes to insurrection. Not a man in Georgia but wishes there were no slaves. They are a curse to the country. But this is not the way to get rid of them. It is astonishing to see those people come, session after session, with a petition. I know nothing about these one hundred and thirty-four negroes. But this I do know: during the Revolution the Quakers were generally Tories. Then they began freeing their slaves. North Carolina forbid them. If they do not like the law, let them take their property to Pennsylvania, and there set it free. The object of this petition is plain. Gentlemen wish to fix a stigma on North Carolina. One hundred and thirty-four manumitted slaves say they have in North Carolina, by an *ex post facto* law, been cruelly sent back to slavery. Now this is not so. A law of my State forbids any man to free a slave save for meritorious services recognized by a license from the Court. Slaves set free contrary to this law are seized and sold.

From the heat of the gentlemen who have spoken, said Bayard, it might be supposed the question is, Shall or shall not slavery be abolished? But the question really is, Shall this memorial be read a second time? Some say No; the general habits of the Society forbid it. Now, I believe there is not a more respectable body of men. They obey the laws, support the Government, and commit as few crimes as any other set of men in the land. Others, again, treat the paper as if it came from an Abolition Society. It came from nothing of the kind. It came from the yearly meeting of the Quakers. Some say it is full of matters on which the House cannot act. I do not myself think the House can manumit slaves. But there is not in the petition a word ralating to slaves. Negroes, not slaves, freemen, have been reduced to slavery. Has Congress no jurisdiction over this? It certainly has. Does not the Constitution say no State shall make an *ex post facto* law? When a dozen like speeches had been made,

and a discussion of the meaning of *ex post facto* law ended, the petition was read and committed. When the committee reported, the House willed that leave be given the petitioners to take their paper back.

Bills and motions of little public interest now took up the time of the House for two weeks. On the thirteenth of December, however, a report was made on a matter which deeply concerned the business prosperity of every merchant and trader, and the ease and comfort of every laborer in the land. The coinage was in confusion. Millions of dollars in silver had, a few months before, been declared no longer legal tender. Millions of dollars in gold were, in a few months, to meet a like fate. An act of 1793 provided that, three years from the day on which the first silver coin and again three years from the day on which the first gold coin of the United States was struck at the Mint, gold and silver bearing the stamp of foreign powers should, save the Spanish milled dollar and parts thereof, cease to be legal tender, and should not henceforth be taken by the collectors in payment of taxes and impost dues. Men who were held to be shrewd and able financiers firmly believed, when that day came, joes and guineas, crowns and shillings would be rare, and in their places would be a plentiful supply of United States coins, bright, round, and of full weight. But they were mistaken. The machinery was crude. The workmen were few and unskilled, and, with one press striking all the time, twenty thousand dollars was the utmost that could be made each week. On the nineteenth of December, 1797, when the director made his report to the House, the entire output of the Mint fell thirteen dollars short of seven hundred and forty thousand.

Nor did many of these go far from the seaport and great towns. In the country districts, in the Ohio valley, on the northern border they were still unknown. The school-master received his pittance in French crowns and Spanish half-joes. The boatmen were paid their hire in shillings and pence, and if perchance some traveller paid his reckoning at a tavern with a few American coins, they were beheld with wonder by every lounger who came there to smoke and drink.

The law, however, was imperative. The President made a

proclamation,* and, on the fifteenth of October, every foreign silver coin, except the Spanish dollar, ceased to be a legal tender for debt. Had the law been strictly obeyed, three fourths of the population of the country would, on that day, have been reduced to the necessity of barter. But it was evaded; the banks consented to receive and pay out French crowns at one hundred and ten cents each, and, in time, the tax-gatherer and the collectors of the customs were the only men who would not take crowns at all. The result was inevitable. The price of Spanish dollars and American silver went steadily up. The distress of the merchants became so great that general ruin seemed near at hand. Then the Government relented, and bade the Custom-House officers take French crowns at the same value as did the Bank. The order was illegal. But the suffering was severe, and it was hoped, when Congress met, the action of the Secretary of the Treasury would be declared proper and wise. The committee to whom the House referred the matter did make a favorable report. If, they set forth, the act of 1793 were enforced, a large amount of coin would be thrown out of circulation. The Mint could not replace this. Distress and embarrassment would follow. Trade would languish, and commerce fall into decay. Silver coin of every kind ought therefore, for two years to come, to be taken by collectors of the Government revenue. During the same period so much of the act of 1793 as affected foreign gold ought to be suspended.

Why, it was asked, make this discrimination? Why make crowns and shillings a tender for revenue only, and joes and guineas a tender for debts in general? Every member of the House knew that silver went by tale. Gold passed by weight. Not a gold piece but had, by sweating, or clipping, or plugging, become debased. Not one of them could be taken with safety till it had been thrown into a pair of scales and weighed. They could not be withdrawn from circulation too soon. Adopt the report, and, in a few weeks, one part of the community would be speculating on the other. Shopkeepers and small traders, and men who paid no duty, would refuse to take crowns at more than a dollar. But when the great merchant

* Porcupine's Gazette, July 26, 1797. Proclamation bears date July 21, 1797.

wanted crowns, the value would be found to have gone up to a dollar and ten cents.

This was denied. The committee, the objectors were told, had good reasons for the discrimination. The act, so far as it related to silver coin, had already gone into effect. Much of the evil of which gentlemen complained had been suffered. If the acts were kept in force, if crowns were made tender for duty alone, silver money would be confined to the seaport towns, would pass readily to the United States Treasury, and be sent thence to the United States Mint. With gold, however, the case was very different. Gentlemen must remember that while there was little gold coin in the cities, there was much in the back country; so much that it could not be gathered and brought to the Mint without great cost to the Government and great harm to the people. In northern New York, in northern Vermont, all along the St. Lawrence, a brisk trade with Canada went on. And there all payments were made in dollars and guineas, and half-joes and crowns. The same was true in the interior of every State. Suppose, then, the law remains; suppose foreign gold, on the thirty-first of July, 1798, loses its legal-tender powers; the whole country removed from the seaboard, and the banks will be deprived of every kind of money with which to make a legal tender for the payment of debt. As for an eagle or a dime, it is in those parts a curiosity rarely seen.

The Speaker was finally asked if a resolution could be inserted in the report. He answered Yes, and, in a few moments, a motion was made that so much of the act of 1793 as related to silver coin, and so much as went to restrain the circulation of foreign coin, be, for a limited time, suspended. Still the members were not satisfied, and an amendment to the amendment was offered to put in the word silver after the word foreign and before the word coin. There was no reason whatever why foreign silver should not pass current. The pieces had been in use for more than a hundred years. They went by tale. They were just as good and just as useful as any of the dollars or dimes gentlemen were so eager to have replace them. But with gold this was not the case. The quantity was small and very bad. So general had the mutilation been

that every gold piece must be weighed before it was taken. And how many men had gold scales? Not one in five hundred. How many knew the value of gold coin when found deficient? Not one in a thousand. Here there was a fine chance for those who did know to cheat those who did not. Gold, therefore, not silver, ought to be sent to the Mint and recoined. To this the House would not agree. The amendment to the amendment was voted down, the amendment was passed, and, late in December, the bill was ordered to be read a third time.

With the new year Matthew Lyon came into public notice for the third time. During the summer a committee had been busy gathering testimony against William Blount. In November it reported. In January, 1798, the matter of his impeachment had gone so far that the election of managers to conduct it came before the House. The choice occupied part of several days, and, on the morning of one of them, the members seemed more than ever prone to disagree. The tellers were busy with the ballots. The Speaker had left his chair, and occupied a seat just without the bar. Before him, and leaning on the bar, stood Matthew Lyon. About them were gathered the members, smoking and writing, and listening to what the Speaker said. He was jesting with Lyon, and the subject of their talk was the Foreign Intercourse Bill and the behavior toward it of the Connecticut members. These men were acting, Lyon claimed, in direct opposition to their constituents' will; were following their own ends, cared nothing for the public good, wanted office, and whether the office was worth one thousand or nine thousand a year was of no consequence to them. "If I were to go into their State," said he, in a voice loud enough for Griswold to hear, "with a printing-press for five or six months, I could effect a revolution, change the politics of the State, and turn the present representation out." "If," exclaimed Griswold, who represented a Connecticut district, "if you went into Connecticut, would you wear your wooden sword?" All who heard this shouted with laughter, for he referred to Lyon having once been cashiered. As he spoke, he left his seat and came and stood by Lyon at the bar. "I know them well," Lyon continued, "for I have had to fight

them whenever they came into my district." "Did you," sneered Griswold, "did you fight them with your wooden sword?" The next instant the member from Vermont turned and spat full in Griswold's face.*

For a moment the disorder was great. The Speaker hastened to the chair. The two men were separated, the House called to order, and a committee ordered to consider the conduct of the offending member and report. The recommendation was that he should be expelled. Witnesses were called, sworn, and examined. Lyon made an apology,† and when the vote on expulsion was reached, fifty-two were for it and forty-four against. The ayes not being two thirds of the House, the motion to expel was lost. The vote was a strict party one, and the result filled every Federalist with rage and shame. No man in the whole Republican party, not Benjamin Franklin Bache, nor Albert Gallatin, nor Thomas Jefferson, nor James Thomas Callender, was so hated and despised as Matthew Lyon. Was he not a coarse-grained, half-educated Irish clown? Had he not been bought and sold like an ox or a hog? Had he not twice insulted the President, and was he now to be suffered to spit in a gentleman's face on the floor of Congress, and be declared guiltless of any breach of decency by the House? There was no making a gentleman of a clown. The lubber was made of too coarse-grained material to be refined to the standard of a well-bred man. If a creature be a beast, one might shave him, pare his nails, cut off his horns, dress him in fine clothes, nay, even send him to Congress. Yet he would be a beast still. A fine figure the character of the United States would cut in Europe! The challenges of a previous session did much to sink our national reputation. But the motion to be excused from waiting on the President, and the spit in the face, would really attach infamy to the name of American. Look, the Europeans will say, the Americans are such clowns as to elect the indentured servants of Europe to the high places under Government; and these cast-off servants then spit in their faces! The French, whom these patriots so love, sometimes raise a riot in the Council, and let in a mob to assassinate a

* See the testimony and report of the House Committee.

† See Mr. Lyon's letter to the Speaker, February 1, 1798.

member or two. But they have never yet fallen so low as to spit on each other.* No man, except John Jay, was ever made the subject of more bad verse, more poor wit, more bad puns. He was, the Federal prints declared, what his name indicated, the King of Beasts. He was the spitting Lyon that put Mr. Pinchbeck's Learned Pig to the blush. In the "Gimcrack Museum" was to be seen a wax figure called the American Orator, representing a member of Congress, in solemn debate, spitting in the eye of his opponent to clear it from the mist of prejudice.† For two years reference was constantly made to the "spitting-record."

To these taunts the Republicans replied by declaring that Griswold received what he had long deserved, that he was a purse-proud aristocrat, and nicknamed him "Knight of the

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* Gazette of the United States, February 8, 1798.

† Among the poems was one addressed to the owner of the learned pig, and called "The Lion and the Pig."

"Tell us no more of your learned little Pig,
In size a mere runt, though in science very big.
. . . . . .
Can the grunting little thing, which you set so very high on,
Be compared to our beast, the great and mighty Lyon?
You boast your little Pig can spell the hardest word;
Did your little Pig ever wear a wooden sword?"

Yet another contains these stanzas, to be sung to "Yankee Doodle":

"I'm ragged Mat, the Democrat,
Berate me as you please, sir,
True, Paddy Whack ne'er turn'd his back,
Or bow'd his head to Cæsar.

"Horum, scorum, rendum, roarum,
Spittam, spattam, squirto,
Tog, rog, derry merry, rawhead and bloody bones,
Sing, langalee, nobody's hurt, O!

"We Lions bold abominate
To court the great and wealthy,
I did it not in Vermont State,
I sha'n't in Philadelphia.

"Nor was I to the Congress sent
To dress like coxcomb fine, sir,
To cringe before the President,
And taste his cake and wine, sir."

Gazette of the United States, May 3, 1798.

Rheum-ful Countenance." For several days after the vote he came to the House with what then passed for a walking-stick, but would now be called a cudgel. The chance to use it soon came. Lyon was in his seat. Prayers had been said, but the House not called to order. Rising from his place, Griswold walked across the floor with his cudgel in his hand, stopped in front of his enemy, and began to beat him. The act was a most cowardly one, for the Vermont member was seated, and, it is believed, was without a stick. Nothing so shameful again took place in Congress till Brooks entered the chamber of the Senate, and in a manner yet more cowardly beat down Charles Sumner, and left him senseless on the floor. Lyon rose as quickly as he could, and rushed toward Griswold to grapple with him. But he fell back, striking as he went. When the two were clear of the seats, Lyon rushed to the fireplace and caught up the tongs. The next moment Griswold beat them from his hand, and struck him full in the face with the cudgel. Lyon now ran around the clerk's table, and into the narrow passage between the wall and the Speaker's chair. There the two grappled, and fell heavily to the floor. During all the fracas the Speaker looked on with manifest delight. Some members now raised the cry of Order! order! Others hastened into the passage, seized Griswold by the legs, and dragged him off. The Speaker began to rap on the table, and call the members to their seats. A friend hurried to Lyon, and put a cane in his hand. Lyon then went in search of Griswold, found him drinking water at the farther end of the room, and struck him. But the by-standers interfered, and the fight came to an end. A few men, whose sense of decency was not dulled by party hate, demanded that both of the quarrellers should be expelled. The motion went to the Committee on Privileges. The committee reported against it, and the House, by a vote of seventy-three to twenty-one, sustained the report. To include Lyon in such a motion was, the Federalists declared, really unjust. He had done nothing. He had merely, in the most quiet manner, submitted to a good beating. That surely was punishment enough.*

* The fight was the occasion of a new outbreak of poetry and cartoons. The most elaborate poem is The Spunkiad; or, Heroism Improved. A Congressional

Here, exclaimed the Republicans, is a fine display of the usual behavior of the party of the cloven foot. These are the men who boast of being the "friends to order." With pockets full of English guineas, they are ever turning up their eyes and holding up their hands at the insolence, the violence, the brutal conduct of the French. Their presses teem with abusive books and pamphlets. Their newspapers are full of infamous lies. Yet they can, when the time comes, be guilty of acts so low that the meanest *sans-culotte* in all France would not commit them.

Each of these charges was true. Griswold had disgraced himself and his party, and his party had never yet suffered a chance of putting the conduct of the French in a bad light to pass by unused. Not a publication on the matter appeared in Europe but it was quickly reprinted here. Tens of thousands of copies were said to have been sold of the "Cannibals' Progress," the "Bloody Buoy," the "History of Jacobinism," the "Warning to Britain," and the "Incursion of the French into Franconia." Some, in the language of that time, were "embellished with striking copper-plates" far from rude; others, translated into German, were read by the farmers in the valleys of Pennsylvania. Every packet that came from St. Bartholomew or St. Kitts, or from Curaçoa, brought news of ships overhauled and plundered, of sailors beaten, and cargoes seized and confiscated by the French. The names of more than three hundred and forty vessels captured by the French since July, 1796, were known at the State Department. Under such headings as "Abominable French Fraternity" or "Some Fraternal Grips," "Sans-culotte Piracy" or "Dear Sister France," the Gazette gave the Federal version of what were beyond doubt most high-handed and insolent acts. A French privateer, it was firmly believed, lay in wait below Reedy Island for outward-bound ships. A wager of one hundred dollars was laid that in three months the French would actually come and take the vessels from our very wharves. Before the three

Display of Spit and Cudgel. A Poem in Four Cantos. By an American Youth. See, also, The House of Wisdom in a Bustle. A Poem descriptive of the Noted Battle lately fought in C—ng—ss. By Geoffry Touchstone. Versification of a Letter from a Political Character in Philadelphia to his Friend in Connecticut.

months were out a French privateer did sail into Rebellion Roads, and, in full view of the docks and wharves of Charleston, burnt an English vessel to the water's edge. Yet even this could not move the Republicans. They would do nothing till they heard from France. What little French news could be gathered from the captains of the packets and snows was most fragmentary and conflicting. On one day the American envoys were said to have been well received; on another they were reported to have been arrested at Paris. Now there was strong likelihood of a war. Now they were framing a firm and lasting treaty of peace. One captain had seen numbers of American ships with double sets of hands hurrying to depart before the French declared war. A second would give the very words of a conversation between Talleyrand and the Minister the United States had sent to make peace. "Are you instructed," asked the Frenchman, "to break with England?" "No," said the Americans, "we are not." "Well, I," replied Talleyrand, "am commanded by the Directory to enter into negotiations on no other plan."* Not one of these stories was true.

The powers of the envoys were ample. Their instructions were clear and full. They were bidden to consult, negotiate, and treat on all claims and causes of difference between the United States and France. They might even sign a new treaty or convention, and, in that event, five leading principles were to be their guide: The United States would bear no blame or censure for her conduct; none, therefore, was to be bestowed on France. No aid was to be promised during the present war. No engagements were to be made inconsistent with prior treaties. No restraint on commerce was to be admitted. No stipulations made under which French tribunals could be set up within the United States.†

With such powers and instructions the envoys set off, and entered Paris on the evening of October fourth, 1797. Their letters were soon presented, cards of hospitality secured, and, on Saturday, the fourteenth of October, negotiations may be

* Gazette of the United States, January 3 and 4, 1798.

† See "Instructions" and "Full Powers" in the President's Message to Congress, April 3, 1798.

said to have begun. On that day a Major Mountflorence called. He saw General Pinckney, told him of a talk with M. Asmond, private secretary to Talleyrand, and declared the French Directory were much exasperated at some passages in the President's last speech. No more was heard of the matter for four days. Then a M. W. came, saw General Pinckney, declared a M. X. was a man of high repute, and that confidence might be placed in every word he said. That same evening M. X. called. When he was alone with General Pinckney the object of his coming was stated. The Directory, and two members of it especially, were wroth at some sentences in Mr. Adams's speech. These must be softened or explained away; besides, a sum of money was required for the private pocket of the Directory, and a loan must be promised to France. These things done, all differences with France would be at an end. The demands did not come direct from Talleyrand, but from a gentleman in whom the Minister put great trust, a M. Y. What the hated passages were, how much the loan must be, M. X. did not know; but the "douceur" for the pockets of the five directors must be twelve hundred thousand livres, or, in English money, fifty thousand pounds. Pinckney was astounded. He could not, he said, even consider the proposition till it had been made to his colleagues, and this M. X. must do. After some higgling an agreement was reached. Pinckney was to call on M. X. and formally request him to repeat the proposition to the three envoys. M. X. was to comply, and, that no misunderstanding might arise, the proposition was to be submitted in ink. Pinckney made the visit, and X. was invited to breakfast with Gerry on the morning of the twenty-first, and there make such explanations as the envoys might see fit to ask. He promised to do so; but, on the morning of the twentieth, he came and said that M. Y., the trusted friend of Talleyrand, would make the explanations himself. That evening at seven o'clock, in Marshall's room, the envoys met X. and Y. The Directory, Y. said, were angry. They had not acknowledged nor received the American Ministers, nor given M. Talleyrand leave to speak with them. But that Minister never could forget the kind things done to him when he sought a refuge in the United States. M. Y. came not as a

diplomatic character; he was clothed with no authority. He was merely M. Talleyrand's trusted friend come to make a few propositions. These once accepted, M. Talleyrand would plead with the Directory, and beg it to give a public audience to the envoys from the United States. As he spoke he drew from a pocket a French translation of the President's speech, pointed out the passages offensive to the Directory, and dictated some propositions, which M. X. wrote down.

On the thirtieth of December, 1796, James Monroe had a private audience of the Directory, presented his letters of recall, and, before he left, was addressed by Barras in these words: "By presenting this day to the Executive Directory your letters of recall, you give to Europe a very strange sight. France, rich in her liberty, surrounded by a train of victories, and strong in the esteem of her allies, will not abase herself by calculating the consequences of the condescension of the American Government to the wishes of her ancient tyrants. The French Republic hopes, however, that the successors of Columbus, of Raleigh, and of Penn, always proud of their liberty, will never forget that they owe it to France. They will weigh in their wisdom the magnanimous friendship of the people of France with the crafty caresses of certain perfidious men who seek to bring them once more under their ancient yoke. Assure the good people of America, Citizen Minister, that, like them, we adore liberty, that they will always have our esteem, and that they will find in the French people that Republican generosity which knows how to grant peace as well as cause its sovereignty to be respected." *

On this speech of Barras, and on the whole behavior of France, Mr. Adams, when he addressed Congress,† made some timely remarks. M. Y. now had the face to demand that these remarks should be recalled; nay, more, that it should be formally declared in writing that, in the speech of Barras, there was nothing offensive to the Government of the United States. This done, and the statements of the three other objectionable passages recanted, France would be ready to make a new treaty with the United States. "But," said M. Y., "but, gentlemen, I will not disguise from you that, this satis-

* Monroe's View, p. 398, has a slightly different version. † May 16, 1797.

faction being made, the essential part of the treaty remains to be adjusted. You must pay money; you must pay a great deal of money." He then went away with M. X., promising to breakfast with Gerry the next day.

When the cloth had been removed, M. Y. was reminded that a hint had been dropped that the demands regarding the speech might be satisfied in another way. What was this way? M. Y. did not know; he had merely his own opinion. He thought money would do it. How much money he could not, of course, say. He might, if the gentlemen wished it, suggest a sum. The gentlemen did wish it, and he then said there were to be had thirty-two millions of florins of Dutch rescriptions. They would in the market bring no more than ten shillings in the pound; but they might be assigned to the United States at twenty shillings. When asked if the fifty thousand pounds sterling for the Directory were to be added to the rescriptions, he answered Yes.

Astonished at such insolence, the three envoys went to another room to consult. When they came back they brought with them a written answer, read it, and gave M. Y. leave to copy it if he pleased. M. Y. grew angry and refused. You treat the money demand, said he, as if it came from the Directory. It does not come even from the Minister. I have suggested that you offer the money in place of the painful acknowledgment the Directory will surely demand of you. We understand, said the envoys, that the proposition was, in form, to be ours; but we believe that it comes substantially from the Minister. You have brought no credentials, it is true; but, relying on your honor, we have believed that what you said came in reality from the Minister, and we have talked to you just as we would to M. Talleyrand himself. We cannot consider any suggestion of M. Y. as not having been first approved of. M. Y. said something about the respect due to the Directory; how that it would exact as much as was paid to the ancient kings, shuddered at the consequences of the envoys' course, and went away.

M. X. now came back alone. After some idle talk about war, he said: "Gentlemen, you do not speak to the point. It is money. It is expected that you will offer money." "We

have spoken to that point," exclaimed the envoys, "very explicitly." "No," said M. X., "you have not. What is your answer?" "It is," said the envoys with spirit, "it is No! No! not a sixpence." Then he again presented to them the dangers threatening the United States, bade them consider the men they had to deal with, and declared that only two or three of the five Directors wanted a douceur. Merlin would not take a livre of it; he was paid by others. The owners of the privateers, said the envoys, pay Merlin. M. X. nodded assent, reminded them that America paid money for peace with the Algerines and the Indians, and that, if she could do this with savages, she might well do it with France. He was told that when our Government made a treaty with the Algerines or with the Creeks, money was known to be the basis of the whole affair. It was the essential article. The whole nation knew it, and expected it as a thing of course. But to make such a proposition to France would, in the opinion of the United States, be a gross insult. Does not your Government know, exclaimed X., that nothing is to be had here without money? Why, there is not an American in Paris but could have told you that.

This strange negotiation now put on a new form. Toward the close of an October day * Gerry was waited on by a French gentleman named M. Z. He knew Talleyrand well, and was bidden to express surprise, not unmingled with pain, that the American envoys had not called on the Minister as private men. Of the three, Gerry alone knew Talleyrand, and, a week later, went with M. Z. to call. The French Minister began the conference. The Directory had passed an *arrête*. They would demand explanation of some parts of Adams's speech. They would have reparation for others. M. Talleyrand knew how the envoys must feel regarding this demand. But, if they would only offer money, he could, he was sure, hinder the *arrête* taking effect. Gerry spoke nothing which could pass for French. He asked M. Z., therefore, to say that the envoys had no such power. Then, said M. Talleyrand, they may assume it. Gerry then spoke out in English, protested that they had no power to make a loan, that they could not, as men of honor, assume such power, but that they would,

* October 22, 1797.

if the negotiation did not lag, send one of their number to America for instructions as to the loan. This would not do. The money must be paid directly, without sending to the United States. The *arrête* should be delayed one week.

When Gerry was again in his lodgings the substance of the interview was written down, read to Pinckney and Marshall, and confirmed by M. Z. The envoys then sent word to Talleyrand that they hoped the *arrête* would not, on their account, be delayed.

For two months the matter dragged on. MM. X. and Y. came and went, notes were addressed to the Minister of Foreign Affairs, propositions were put in writing, interviews were had, and nothing done. One day in December,* Marshall, happening to come to Gerry's room, met M. Y. The Frenchman at once asked if Marshall had seen M. de Beaumarchais. He had but just learned that Marshall was counsel for Beaumarchais in his suit against the State of Virginia. This was most fortunate; for M. Beaumarchais had agreed that, should the claim be made good, fifty thousand pounds of it should go to the Directory as the necessary douceur. Here there was a way of making the gratification without cost to the United States. With Gerry the Frenchman was more explicit still. M. de Beaumarchais had obtained a judgment against Virginia for one hundred and forty-five thousand pounds. It was true that an appeal had been taken. But M. de Beaumarchais would sign an act that, should judgment be affirmed, forty-five thousand pounds should go to the United States. The Government would, therefore, lose but a small part of the douceur. As to the Dutch rescriptions, they could now be purchased for a trifling sum, would bear interest at five per centum, and, in time, would surely be paid by Holland to the United States. Let the envoys reject these propositions and, in a little while, French frigates from St. Domingo would ravage the American coast. When they had discussed this for some time, the two set off to find M. Talleyrand. The Minister declared the statements of M. Y. to be correct, reduced the proposition to writing, showed the paper to Mr. Gerry, and then committed it to the flames.†

* December 17, 1797.

† The words which Talleyrand burned were these: "France has been service-

Three days later General Pinckney was approached by a lady,* for in France a diplomatic affair would have been trifling in which no woman bore a part. She knew Talleyrand well, was sent by him, and began by expressing sorrow for the unsettled state of the envoys. France, said she, loaned money to America. Why, then, will not America loan money to France? I surely am not in the confidence of M. Talleyrand. Yet he has assured me a loan must be made. Without it you may stay six months and your negotiation will not take one step forward. Mr. Pinckney thought the envoys might as well go away at once. Then, said she, a rupture will follow, and a rupture you had better avoid; for we know well that there is in America a great and flourishing party firmly devoted to our cause.†

Her information was correct. And never before had that party been so strong, so active, so devoted to the cause of France as in the month of March, 1798. On the fifth of the month the President informed Congress that dispatches had come from France; that they were in cipher, and that some time must elapse before all could be translated. On the nineteenth he made known the result. The mission he pronounced a failure. To expect anything from it compatible with the safety, honor, and welfare of the land was idle. The country ought therefore to be prepared for the worst. The coast should be defended. The arsenals should be filled up, foundries and armories established, and the revenue made secure. The moment the message was read, a great change took place. Every Federal member was filled with exultation, and every Republican with dismay. Not one of them yet knew the contents of

able to the United States, and they now wish to be serviceable to France. Understanding that the French Republic has sixteen millions of Dutch rescriptions to sell, the United States will purchase them at par, and will give her further assistance when in their power. The first arrangement being made, the French Government will take measures for reimbursing the equitable demands of America arising from prizes, and to give free navigation to their ships in future." President's Message, April 3, 1798, Exhibit C, Letter No. 4.

* December 20, 1797.

† President's Message, April 3, 1798, Exhibit A, Letter No. 4. The dispatches of the envoys were of course in cipher, and gave the name of the French emissaries in full. But Pickering withheld them, and used instead the letters W, X, Y, and Z.

the dispatches. But the message of the President was enough. Twice had offers of peace and amity been rejected; twice had American Ministers been received with scorn; twice had American citizens been treated like men of a conquered nation by the five French kings. Was this, they asked, never to end? Was France to drive our flag from the ocean and our Ministers from her soil, insult our President, and tell us what our treaties ought to be? Had we become a French colony? Was there one spark of patriotism left?

The Republicans denounced this as the "war-hawk's cry," and pronounced the President's message as no better than an open declaration of war. But, even in their stronghold, they had now become weak. In the Pennsylvania Legislature resolutions against defensive measures were quickly voted down. The House bill to arm three frigates was passed. The Senate voted that the President should be empowered to buy or hire sixteen vessels fit for war, and one or more foundries where cannon could be cast. A motion to lay an embargo was lost.

Nor were the Republicans slow to act. Three resolutions were made ready by them, and brought in. Richard Sprigg, of Maryland, moved them in the House, and they have therefore ever since passed by his name. The first stated that, as matters then stood, it was not expedient for the United States to resort to war against the Republic of France. The second declared that a restriction ought to be placed on the arming of merchant-ships. The third urged that the coast be put in a state of defence. The debate was still at its height when a call was made for copies of the dispatches the envoys had sent. On the third of April the President sent them in, and they were soon in the public prints.

The publication was most timely. What the Republicans called the "War Message" had been followed by a chorus of angry protests from every Republican newspaper. Here, it was said, is food many will find hard to digest: gunpowder and red-hot balls. The man from Braintree has not thought fit to decipher the late dispatches for public and legislative use. The contents he holds in his own breast. But that is enough. He has seen them. He has made up his infallible mind what ought to be done, and it only remains for our obe-

dient Congress to do it. The time has now come, in his opinion, for America to draw the sword, break her neutrality, become a party to the European war, and, O tempores! take her place by the side of the tottering Government of England.* Does the old dotard suppose that men who saw the sun obscured by the smoke of the burning village of Charlestown; who looked over the ramparts of Bunker Hill; who grew thin in the prison-ships at New York; who shivered in the huts at Valley Forge; who saw their plantations laid waste by Tarleton's men; who recall the glorious October morning when the white banner of France waved in triumph over the last field of the Revolutionary War: does the dotard think such men will ever lift one finger in support of the British tyrant's crown? The crisis which the British faction have so long been preparing is now at hand. Our hot-headed Federalists are in the suds. They know not what to do, what to communicate. But if the country does not now awake, it may sink into the gulf of political perdition forever.

When the dispatches were read from the newspapers, the country did awake. Thousands of men who despised John Adams, who detested the Federalists, who loathed the influence Great Britain had in Federal affairs, now turned to support the Government with vigor. Their hearts were still warm toward France. But they could not suffer even so old and dear an ally to heap up insult on their native land. Such an outburst of patriotism had never before been seen. It began at Philadelphia, and spread thence as fast as the post-riders could carry the news. Night after night at the theatre, pit, boxes, and gallery joined in one mighty shout for the "President's March," for "Yankee Doodle," or for the stirring music of "Stony Point." While the airs were being played, the wildest excitement prevailed. The audience rose to their feet, stood upon the seats, waved hats and walking-sticks, sang, cheered, and, when the piece was finished, demanded that it should be given over and over again.† Then a band of hardy Republicans in some part of the gallery or the pit would call for "Ça ira" or the "Marseillaise" hymn, till their cries were

* Boston Gazette, April 2, 1798.

† Gazette of the United States, April 6, 1798.

drowned amid a storm of hisses and groans. Not to be outdone, the Republicans thereupon bribed the musicians to play no Federal tunes. The first night they refused a storm of indignation was raised in the theatre, and they gave way. The next night they stood firm and were well pelted for their pains. The Federalists were highly indignant. The theatre, said they, more than any other place brings men of all classes together. The managers should therefore pay some heed to public feeling in the selection of the music. The present is no time to grate the public ear with those Gallic murder-shouts, "Ça ira" and the "Carmagnole." The enthusiastic clamor with which the "President's March" had been called for, and the deafening applause with which it had been greeted, should have taught them this. Is it the purpose of a theatre company to please or to insult the public? The action of pelting the fiddler and smashing the fiddle is greatly to be condemned. The firm and dignified conduct of leaving the theatre and keeping away till the managers solemnly promise that the "President's March" shall be the first tune played in the house, is much to be preferred.*

The theatre, the Republicans protested, was a public house, and the managers would do well to keep this in mind. If, however, they were determined to make it the resort of the British faction, then let them look to that faction for support.† Every earnest Republican and true patriot would keep away. This, was the rejoinder, is greatly to be wished. Men of sense long for the time when the Jacobins and their murder-shouts shall be driven from every decent resort. Let them desert the theatre, and with the shillings thus saved pay some of their old debts. ‡

While the factions wrangled, the benefit-night of a favorite actor drew near. No man knew better than he how to profit by the popular will, and at no time in the whole course of his life had so fine a chance of profiting by the popular will been offered him. Politics ruled the hour. The city was full of excited Federalists, who packed the theatre night after night for no other purpose than to shout themselves hoarse over the

* Gazette of the United States, April 17 and 18, 1798. † Aurora.
‡ Gazette of the United States, April 23, 1798.

"President's March." He determined to make use of this fact. He would take the March, find some one to write a few patriotic stanzas to suit it, and, on the night of his benefit, sing them to the house. Some Federalists were consulted, were pleased with the idea, and named Joseph Hopkinson as the man best fitted to write the words. He consented, and in a few hours "Hail, Columbia" was produced. The night for the benefit was that of Wednesday, the twenty-fifth of April, and the Gazette announced that the performance would comprise a comedy called "The Italian Monk"; the comic opera of "Rosina"; "More Sack," an epilogue on the character of Sir John Falstaff; and "an entire new Song (written by a citizen of Philadelphia), to the tune of the 'President's March,' will be sung by Mr. Fox, accompanied by the full band and a grand chorus:

"Firm united let us be,
Rallying round our liberty;
As a band of brothers join'd,
Peace and safety we shall find." *

Long before the curtain rose the house was too small to hold the thousands who clamored to be let in. Those who got in were too excited to wait quietly for the song. At last the comedy ended, and Mr. Fox appeared upon the stage. Every line was loudly applauded, the whole house joined in the chorus, and, when the verse "Behold the chief who now commands" was reached, the audience rose to its feet and cheered till the building shook to its foundations. Four times the song was encored, was demanded again at the end of the pantomime, and again at the close of the play.† A few called for "Ça ira," but were quickly put down. The words of "Hail, Columbia" were printed in full in the newspapers of the following day. The Gazette hoped that every lady in the city would practice the music, learn the words, and sing them at the next repetition; then perhaps the two or three French-Americans who remained might feel the charm of patriotism and join in the chorus of the song. There was, however, one "French-Ameri-

* Gazette of the United States, April 25, 1798.

† Gazette of the United States, April 26, 1798. Country Porcupine, April 28 1798.

can" in the city whom no Federal song could charm. The editor of the Aurora treated the scene in the theatre with bitter contempt. On Wednesday, he assured his readers, the admirers of British tyranny assembled at the New Theatre. The managers had announced on the play-bills of the day that a new patriotic song would be sung to the tune of the "President's March." All the British merchants, all the British agents, and many of our congressional Tories attended to do honor to the event. When the wished-for song came, which contained, amidst the most ridiculous bombast, the vilest adulation of the Anglo-monarchical party and the two Presidents, the ecstasy of the faction knew no bounds. They encored, they shouted, they became "mad as the priestess of the Doric God." *

There was now no longer any question as to what tunes should be heard in the theatre, and the Federalists, highly elated, brought out new songs and turned the play-house into a political engine of great power. The night after "Hail, Columbia" was produced, the "New Yankee Doodle" was sung by an actor in full sailor dress.† The evening following this, "The Death of General Wolfe," a serious panto-

* Aurora, April 29, 1798.

† Country Porcupine, April 28, 1798. Two of the stanzas were:

I.

"Columbians all, the present hour
As brothers should unite us,
Union at home 's the only way
To make the nation right us.

Yankee Doodle, guard your coast,
Yankee Doodle Dandy;
Fear not, then, nor threat, nor boast,
Yankee Doodle Dandy.

II.

"The only way to keep off war,
And guard 'gainst persecution,
Is always to be well prepared
With hearts of resolution.

Yankee Doodle, let's unite,
Yankee Doodle Dandy;
As patriots still maintain our rights,
Yankee Doodle Dandy."

Spectator, May 9, 1798

mime in one act, was performed. In the course of it the player who took the part of the illustrious general proposed three toasts. When the third was offered, every man in the house stood up, uncovered, and gave three huzzas.* On May-day Adams attended the theatre for the first time since the excitement began. The play was "Isabella; or, the Padlock." But the box where the President sat was the one attraction of the evening. The cheering and applauding were tremendous, and, at each interval between the parts of the performance, "Hail, Columbia" and the "New Yankee Doodle" were repeatedly sung. The play over, a band of Federalists paraded the streets, serenaded the President, the members of the Cabinet, and the author of the new national song. And well they might do honor to Mr. Hopkinson, for he had rendered to the party services of no common kind. Adams recognized his services, and, as the Republicans delighted to point out, named him a commissioner to frame a treaty with the Oneida Indians.† Posterity, too, has honored him, for, of the innumerable patriotic songs produced by the men of that day, "Hail, Columbia" is the only one sung by the men of this.

Addresses and memorials to the President meanwhile came pouring in. The merchants of Philadelphia addressed him; the Mayor, the Aldermen, the Select and Common Councils addressed him; the citizens at large sent in a memorial.‡ The youth of the city and Liberties were informed that copies of an address awaited their names at the Library and the City Tavern.# Hundreds made haste to sign, and, while they did so, Peter Porcupine threw out a suggestion, which they speedily took up. When the young men went to present their address, let every one of them mount the American cockade and wear it till the haughty and insolent foe is brought to reason. The writing at the foot of the address would be seen by few and

* "1. May the sword of virtue, drawn in the cause of freedom, never be sheathed but in conquest.

"2. May the blessings of liberty, secured to us by the blood of our forefathers, never be forfeited by the degeneracy of their sons.

"3. The grateful memory of those heroes who fought, bled, and died for the country." Gazette of the United States, April 28, 1798.

† The Bee, May 28, 1798.

‡ Gazette of the United States, April 27, 1797. # Ibid., May 2, 1798.

remembered by none. The cockades would be seen by the whole city, and mark out the wearers as patriotic men.* The thought was a happy one. The young men acted upon it, and, on the seventh of May, twelve hundred of them, each with a black cockade in his hat, assembled at the City Tavern and marched thence to the President's house.† As he came out to review them, the crowd saw with delight that he, too, had mounted a black cockade.‡ The decoration was of ribbon, folded nearly circular, was four full inches in diameter, and, on a cocked hat, was fastened under the loop. On a round hat the cockade was worn on the left-hand side well up toward the crown.# The fashion spread fast. Before the month ended, each city and town boasted a band of "Associated Youth" wearing the Federal badge. At Lancaster, at Alexandria, at Baltimore, at New Brunswick and Mount Holly, in New Jersey, at Portsmouth and Boston, at Trenton and New York, in the college at Princeton, and in the great seats of learning at Cambridge, and Providence, and New Haven, men far too young to vote drew up addresses warmly supporting the Federal cause.

From the young men's meeting at New York came most unhappy consequences. Brockholst Livingston, as bitter a Republican as the city could produce, described the gathering. The Argus published the description. Colonel Nicholas Fish, a stripling of forty-eight years, said the writer, was made chairman. Notwithstanding his green years, he acquitted himself with as much judgment as might have been expected from a full-grown man. Master Jemmy Jones, another boy not quite sixty, also graced the assembly with his presence. It was truly pleasant to see the rising generation thus early zealous in the country's cause.‖ Mr. Fish gave the paragraph no heed. Mr. Jones went into a passion, demanded the writer's name, met Livingston a few evenings after on the Battery walk, took him aside, denounced him, and, in the presence of his wife, beat him with a cane. Livingston sent a challenge. The two met in the Hoboken fields, and Jones fell. The moment his death

* Country Porcupine, May 4, 1798.
† Ibid., May 7, 1798.
‡ Porcupine's Gazette, May 8, 1798.
# Ibid., May 14, 1798.
‖ New Jersey Journal, May 15, 1798.

was known the Federalists all over the country extolled him as a martyr to the cause. Here, they cried, is true Jacobinism! It is no longer safe for men to assemble quietly and, in the spirit of true patriotism, offer their services to their insulted land. For doing this they are to be first insulted and then shot. Let every young man remember this. Let him honor James Jones, the martyr, and hold up to universal execration Brockholst Livingston, the murderer. Some thought Livingston should have been mobbed. The New York patriots seemed to them too tame. New York Federalism was declared to be half sham. How often had the "President's March" been played or called for at the theatre? Tricolor cockades were to be seen at the coffee-house and on the corners of every street. But how many black cockades were visible? At Vauxhall Gardens a Frenchman actually had the boldness to attempt to pull the American badge from a young man's hat. Yet nothing was done to him.*

This offence now became so common that every man who wore the black cockade did so at his peril. Some were waylaid at night, some were stopped by bullies in broad daylight, some were compelled, as they sat in the taverns or before their own doors, to protect their badges. All the arts of Jacobinism, it was charged, all the base manners, are played off to "down" the American cockade. Finding threats of no use, the French faction have tried what coaxing will do. The black cockade, they declare, is not American, but English. Thus they hope to bring up cockades of all sorts. But the people are not to be duped. They well know that the black cockade was worn by the American army during the whole Revolutionary War, that it is worn now by the President, and that the Secretary of War has, by a late order, commanded that it shall be worn by every American officer and soldier of our forces on land and sea.† Coaxing having failed, the Jacobins now openly advised to pull off the cockade whenever seen.† For this advice Governor Mifflin was declared to be responsible.

Unpopular as the Republicans had become, they were by no means cowed. They ridiculed Adams and his party in

* Gazette of the United States, May 19, 1798.

† Porcupine's Gazette, May 15, 16, 1798.

prose and bad verse,* wore the tricolor as boldly as ever, set up liberty-poles, mocked at the addresses of the "Associated Youth," burned the President in effigy, and, on the fourth of July, insulted him in toasts and speeches. The ninth of May had been named as a day of national fasting, humiliation, and prayer. Everywhere it was observed, but nowhere so strictly as in New England. There every sermon was a bitter arraignment of the French. One preacher drew a parallel between the tribute demanded of Hezekiah by Sennacherib and the tribute demanded of Adams by the French.† A second took for his text the mournful message which Hezekiah sent to the Prophet Isaiah.‡ A third preached against Republicanism from the words, "There is an accursed thing in the midst of thee, O Israel!" A fourth besought his hearers to despise the passive spirit of Issachar and not become servants unto tribute. The preaching and the fasting gave the French sympathizers great offence, and a few at Stamford, in Connecticut, determined to express their disgust in a public way. On the morning of the sixteenth of May, therefore, the post-rider beheld near the meeting-house the effigy of a man tarred and feathered, and lying in a fire. To a post were fastened an inscribed board, and a paper with some doggerel verse.# At Williams-

* A stanza of one of these songs was:

"See Johnny at the helm of State,
Head itching for a crowny;
He longs to be, like Georgy, great,
And pull Tom Jeffer downy.

Yankee Doodle, sing and dance,
Praise the British Treaty,
Vent heavy curses 'gainst old France,
John and Harp— will greet ye."

Centinel of Freedom, May 29, 1798.

† T. M. Harris, at Dorchester and Milton. ‡ Sermon of Jedediah Morse.

On the board were the words:

"JOHN ADAMS.

Those who venerate this intended despot may here pay their last homage to his remaining ashes."

On the paper were the lines:

"Adams, the great,
In envied state,
Issu'd a Proclamation,

burg, in Virginia, the students of William and Mary college subjected him to a like insult on the fourth of July. He was represented as receiving a "Royal Address," and searching through a bundle of ready-made answers for a reply. *

Despite such scenes in New England, the Republicans were there greatly in the minority. The country had not been so deeply moved since the battle of Lexington and the battle of Bunker Hill. "Millions for defence, but not one cent for tribute," became the Federal slogan, and was taken up and repeated all over the land by men who, much as they loved France, much as they wished to see her demands acceded to, were still determined that those demands should never be forced upon the nation with insults, with tribute, and by threats of war. Every hour the war fever grew hotter and hotter, till the whole people seemed ready to rise up in arms. The young men associated for defence; the merchants made generous subscriptions for ships-of-war; the women worked flags and banners. Even those who had the knack of scribbling verse did something, and kept up the fervor of the hour with innumerable patriotic odes and songs. "Adams and Liberty" became as popular at Boston as "Hail, Columbia" was at Philadelphia, or "Washington and the Constitution" at New York.† At

That each free State
Abstain from meat
With deep humiliation.
Let 'Ristocrats,
Those scurvy brats,
Keep fast with fear and mourning;
But we'll conspire
To build a fire,
And put his image burning."

Massachusetts Mercury, June 19, 1798.

* Columbian Centinel, July 28, 1798.

† The number of songs written under the influence of the "black cockade," and long since forgotten, is enormous. But a few stanzas from the most characteristic of them may afford some idea of them all:

"The President, with good intent,
Three envoys sent to Paris,
But Cinq Têtes would not with 'em treat,
Of honor France so bare is.

"Yankee Doodle (mind the tune),
Yankee Doodle dandy,

the inland towns volunteer companies were formed, and addresses burning with Federal zeal prepared. Along the Atlantic border no town felt too poor to start a subscription to build and loan the Government an armed ship. Newburyport promised a twenty-gun vessel in ninety days.* At Boston the subscription ran up to one hundred and twenty-five thousand dollars in a few weeks, and the keels of two frigates were speedily laid.† At New York thirty thousand dollars were raised in

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If Frenchmen come * * *
We'll spank 'em hard and handy.

"Thro' X. and Y., and Madame Sly,
They made demand for money;
For, as we're told, the French love gold
As stinging bees love honey.
Chorus, etc.

"Bold Adams did in '76
Our Independence sign, sir,
And he will not give up a jot,
Tho' all the world combine, sir.
Chorus, etc.

"Americans, then fly to arms,
And learn the way to use 'em;
If each man fight to 'fend his rights,
The French can't long abuse 'em.
Chorus, etc."

"Adams, the man of our choice, guides the helm;
No tempest can harm us, no storm overwhelm;
Our sheet-anchor's sure,
And our bark rides secure;
So here's to the toast,
We Columbians boast,
The Federal Constitution and the President forever!"

Newport Mercury, June 5, 1798; Spectator, May 26, 1798.

"Shall Gallia's clan our coast invade,
With hellish outrage scourge the main,
Insult our nation's neutral trade,
And we not dare our rights maintain?
Rise, united Harvard's Band,
Rise, the bulwark of our land."

Harvard Patriotic Ode, by Joseph Story, sung in the College Chapel, June 22, 1798. Columbian Centinel, June 30, 1798.

* Boston Gazette, May 28, 1798.

† Massachusetts Mercury, June 15, July 3, 1798.

one hour.* At Portland and Portsmouth,† at Charleston and Salem, at Chatham, at Norwich, at Philadelphia,‡ at Baltimore,# vessels-of-war grew rapidly upon the stocks. Money was collected at Portland, ‖ in Maine, and at Charleston,^ in South Carolina, that forts and earthworks might be put up on the shores of the spacious harbors that lay before those towns. In June the young men and maidens of New York beheld, with deep regret, "the finest walk in all the world" torn up, and clumsy cannon frowning over an earth rampart close to the Battery walk. That the work might go rapidly on, each householder was urged to pay ten shillings a day, or toil himself on the fort. ◊

On the fourth of July the newspapers published the Declaration of Independence, and the people in their celebration displayed unusual zeal. Even the women bore a part. At North Deerfield numbers of them met in a "Bower," sang "Adams and Liberty," and drank toasts and cold tea. ‡ At Middletown they ate a cold lunch, toasted Mrs. Adams and Mrs. Washington, and marched through the town to the liberty-tree, where an old relic of seventy-six was displayed. ↕ At Lancaster ⇞ and Pottstown,** at Philadelphia and York,†† in Pennsylvania, and at the city of New York, the young women presented stands of colors they had worked to volunteer companies of young men. ‡‡ Nor did the debtors in the Newark prison forget the day.## With the militia companies that kept the day at the

* Porcupine's Gazette, June 22, 1798.

† Columbian Centinel, July 11, 1798.

‡ Porcupine's Gazette, June 12, 22, July 16, 1798. Gazette of the United States, June 13, 1798.

Porcupine's Gazette, June 22 and 30, 1798.

‖ Massachusetts Mercury, June 15, 1798. ^ Ibid., May 29, 1798.

◊ Ibid., July 10, 1798.

‡ Massachusetts Mercury, July 17, 1798. One of the toasts was, "Should Gallia force Columbia's sons to the field, let it be the duty of her daughters to furnish balm for their wounds and laurels for their brows."

↕ Porcupine's Gazette, July 14, 1798. ⇞ Ibid., June 30, 1798.

** Philadelphia Gazette, July, 1798. †† Porcupine's Gazette, July 14, 1798.

‡‡ True American, July 4, 1798.

Forming a procession, they marched about the prison-yard. Their banner was a pair of tattered breeches hung, with the pockets turned inside out, from a constable's staff. On the top of the staff was an empty purse inscribed "Tekel." True American, July 13

cross-road taverns and wayside inns, the toasts were "Millions for defence, but not one cent for tribute," "The wooden walls of Columbia," and "The rising navy of America."

Their pride in the navy was soon increased. On Friday, the sixth of July, the sloop-of-war Delaware, Stephen Decatur, the elder, in command, set sail. Land was still in sight when a merchantman, the Alexander Hamilton, was met and hailed. The captain declared his ship had been boarded and his cargo plundered by men from a French privateer of twenty guns, told in what direction the enemy sailed, and the Delaware went in pursuit. A few hours later, four schooners were descried off the bow. Which of the four was the privateer Decatur did not know, but his ready wit suggested a ruse which enabled him to find out. He pretended to be a merchantman, stood off as if fearing capture, and quickly had the privateer in chase. The race for a time seemed an unequal one. The Frenchman gained steadily, but, when he had come near enough to see that the Delaware was a full-armed sloop-of-war, he turned, fled, was captured, and the next day brought in triumph into port. This, exclaimed the wearers of the black cockade, is the true Federal way to pay Talleyrand his tribute. All honor to Decatur for paying the first instalment so promptly.* A new era has begun. A good work has commenced. Henceforth neither Sans-Culottes, nor Sans-Culottist principles, shall find a home in America. "France, terrible to her enemies," is not so dreadful as the Jacobins would have us to suppose; for a Frenchman, mounting fourteen guns and seventy men, has pulled down the tricolor to a twenty-gun sloop manned by stout Yankee tars.† But the victory did far more than destroy the Democratic threat that in a war with America the French arms would never know defeat. It inspired confidence in the little navy, which, for the first time in our history, the Federal Government was really laboring to create.

This rising navy of America, as the Federalists never tired of calling it, numbered, on paper, six frigates, twelve sloops, and six small vessels of war, a marine corps of nine hundred officers and men, and such vessels as, built by the subscription

* Columbian Centinel, July 14, 1798. † Porcupine's Gazette, July 9, 1798.

of public-spirited men, were offered to the President for purchase or on loan.* The officers to command them were in every case taken from the merchant marine. Some have left no name behind them. Others were fortunate, rose in time to great fame, became the idols of the nation, were feasted and *fêted*, and honored with medals and swords, and, at the very outset, gave to our navy that reputation for courage, for efficiency, for splendid deeds, which, despite the stupidity of Congress, has ever since been maintained. Among them were Samuel Nicholson, the first officer that ever issued orders on the Constitution's deck; Thomas Truxtun, who took the French frigate L'Insurgente; Andrew Sterrett, who in time brought in the French corvette Berceaux; William Bainbridge, David Porter, Charles Stewart, Isaac Hull, John Rodgers, and the two Decaturs, father and son. To make the service yet more efficient, the place of Secretary of the Navy was created, Benjamin Stoddart, of Maryland, appointed to it, and the affairs of the navy were no longer administered by the Secretary of War.

James M'Henry was still Secretary of War, and had under his orders what was then thought to be a respectable body of fighting men. The force of the six old regiments had been increased. Twelve new regiments of infantry, and six troops of dragoons, to serve during the French troubles, had been added, and the regular army thus made to number thirteen thousand men. To command them, two major-generals, an inspector-general, and four brigadiers were provided. The chief command was given to a lieutenant-general, and for this post the whole country agreed that but one man was fit. Four hundred thousand dollars was set apart to buy arms, and the President bidden to accept the services of such companies as might volunteer, and have them well trained and drilled. But this provisional army was to have no pay till actually summoned to the field, for the coffers of the Treasury were far from full. By the most liberal estimating, the revenues of the country would not yield, the Secretary thought, a penny over eight millions of dollars. The interest on the public debt, the items of the appropriation bill, the loan due the United States Bank,

* These ships the President was bidden to purchase by an issue of six per cent stock. The amount so issued was, in round numbers, $711,700.

and the money granted the Commissioners of the Federal City, would, of this income, consume seven millions and a half. The President, therefore, was given power to borrow five millions of dollars in any way he could, and two millions more on the credit of a new and odious tax.

The tax was direct, and fell on two kinds of property, dwelling-houses and slaves. For every slave, man or wench, from twelve to fifty years of age, the sum of fifty cents was to be required of the owner. For every house, out-house and lot, which in the market would bring two hundred dollars, forty cents were to be paid. At this rate, a fifth of one per cent, the tax remained till property worth five hundred dollars was reached. Then the rate was thirty cents on each one hundred dollars till a valuation of one thousand was reached. On estates of thirty thousand dollars a tax of three hundred was laid.

Had Congress stopped at this point, adjourned, and every member hastened to his home, the Federal party would, undoubtedly, never have dated its downfall from the early days of July. But the hour of the party was come. Four years of contest with the Republicans, in which neither calumny nor satire was spared, had filled the hearts of the Federalists with longings for revenge, which, at the height of power, they went on to take. Having provided ways and means to defend the country from French attacks without, they were determined by some means to punish French sympathizers for attacks within. To James Lloyd, of Maryland, belongs the credit of having found one. The Senate, in an evil hour, gave him leave to present a bill to define and punish the crime of sedition, and define in precise terms wherein the crime of treason consists.

One section declared that every Frenchman was an enemy to the United States, and to give him aid or comfort was treason, punishable with death. Another defined misprision of treason. A third had to do with the punishment of men who conspired or combined to withstand the execution of United States laws. The fourth provided that any one who, in speech or print, justified France or defamed the Government of the United States, should suffer punishment by imprisonment or fine. But, most happily, for such tyranny even a Federal

Senate was not prepared. The first and second sections were stricken out. The third and fourth, slightly changed, went down to the House. There, by the casting vote of the Speaker, the fourth of Lloyd's sections was dropped, a new one put in, the third of March, 1801, fixed for the expiration of the act, and a provision added, that in libel suits truth might be given in evidence.

A strange series of events encouraged the Senate to pass the bill. Ten days before a letter, written by Talleyrand to the American envoys at Paris, came out in the Aurora's columns. The whole city, the whole country, was amazed.* On the fourth of May the President had sent to Congress a copy of a letter which the envoys had written to M. Talleyrand. Again, on the fifth of June, Adams in a message furnished copies of the accounts of two interviews the envoys had held with the French Minister of Foreign Affairs. But not even a notice of the arrival of the document the Aurora published in full had yet come to Congress from the President of the United States. How, then, it was asked, did Bache obtain it? To the Federalists the way was clear. Bache was a hireling of the Directory and in open correspondence with Talleyrand. The editor of one newspaper declared that a man named Kidder had come from Paris, that he bore dispatches from the Directory for Bache, that he had delivered them punctually, and that the letter published in the Aurora was one of the lot.† The editor of another evening paper asserted that a clerk from Talleyrand's office had given two packets to a man named Lee, that he left the ship soon after her arrival off the American coast, and that one of the packets, bearing the seal of the French Office of Foreign Affairs, was addressed to Benjamin Franklin Bache.‡ John Kidder, when called on, gave his version of the affair. He had sailed on the snow William from France. On the same vessel was a passenger named Lee, who begged him to take charge of a number of letters addressed to well-known citizens of America. One was for Genet. Another was for Bache. These packets had all been put in the post-office at New York.# Confident that they had now caught the editor

* Aurora, June 16, 1798. † Gazette of the United States, June 18, 1798.
‡ Philadelphia Gazette, June 18, 1798. # American Daily Advertiser, June 19, 1798.

of the Aurora in a treasonable correspondence with Frenchmen, the Federalists printed the letter of John Kidder as a handbill * and scattered it over the city of New York. This act led Samuel M. Hopkins to reply. Mr. Lee, Mr. Kidder, and Mr. Hopkins had been fellow-travellers from Paris to Bordeaux. Mr. Lee's intended departure from Paris being known some time before he left, a bundle of letters, as was customary, had been confided to his care. These he sorted and looked over in the presence of friends. Several packets, sealed with the seal of the Minister of Foreign Affairs and addressed to Genet, Bache, and Citizen Monroe, excited the attention of them all, and the suggestion was made that the letters ought to go to the Secretary of State. Lee and Hopkins left the snow at sea, and, by mistake, some of the packets fell into John Kidder's hands.†

The statement of Mr. Hopkins was followed by one from Mr. Lee. He knew nothing of the contents of the letters addressed to Citizen Bache. It was by mistake that they were left with Mr. Kidder. The others bearing the French seal had been given up to the Government of the United States.‡

Meanwhile Bache had an interview with Mr. Kidder, published it, and, at the same time, a denial of the charge of being an agent of the French. He even went before the Mayor of Philadelphia, took an oath that the Talleyrand letter had not come to him from France, but from a gentleman in Philadelphia, and that the mysterious packet dropped by Kidder in the post-office had not yet been seen.# Three days later a messenger from the Secretary of State entered the office of the Aurora and laid the packet on the table. Bache detained the messenger, and sent a clerk for two witnesses to be present at the breaking of the seals. Joseph Clay and Mathew Carey came. They found on the packet the words "Au Citoyen B. F. Bache, imprimeur, à Philadelphie"; on the seal, "Republique Française," "Relations Extérieures," and above and below the seal two indorsements by men of note.‖ When opened,

* June 20, 1798.

† New York Gazette, June 21, 1798.

‡ Ibid. Also Aurora, June 23, 1798.

Aurora, June 21, 1798.

‖ "Received, June 20th, from William Lee, Oliv. Wolcott," and under the

this terrible packet, which for a week had kept the whole country in excitement and alarm, contained two harmless pamphlets in the French tongue.*

The angry editor now gave what he believed to be the probable history of the affair. William Lee, it was quite likely, sent word to Government that the suspicious letters were in his hands, and asked what should be done with them. To discover anything to feed the flagging system of alarm was a strong temptation. But the subject was a delicate one. To receive another's property without leave was dangerous; so it was arranged that Oliver Wolcott should go to New York, see the letters, pick up what information he could, and decide if it was well to violate every principle of law and honor, break the seals, and get at the contents. But, while he was performing this shameful journey, two mouthpieces of the administration in Congress were bidden to charge the editor with being a hired agent of France. Such charges, made in so respectable a place, would be most damaging. Besides, it was ten to one the editor would not be able to clear himself. If the packet contained dangerous matter, he was surely lost. If it contained nothing of moment, to destroy it and say Captain Pender, of the St. Albans, who boarded the snow William, had taken the letter, was easy. That such a packet had ever existed would then be quite enough to give rise to a cloud of calumnies. Most happily, Kidder implicated Lee. Lee, to clear himself, declared the letters had been given up to Government. The secretaries were thus made answerable, and the packets were produced. Having made this charge against the Government, Bache proceeded to deny the reports spread that he was arrested, that he was in jail, that he had fled. Through a channel almost official he heard that an order for his arrest was actually signed. What, he demanded, is the purpose of these reports? To intimidate me? to force me to fly? to make me seem to own my guilt? But what was my conduct? When denounced on the floor of Congress, did I truckle? No!

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seal, "Received in the mail from New York, June 22, 1798, T. Pickering." Aurora, June 25, 1798.

* "Lettre d'un Français à M. Pitt," and "Seconde lettre d'un Français à M. Pitt."

I dared my calumniators to the proof, and gave them the epithets their conduct deserved. From the dawn of the persecution the spirit of my paper steadily rose. So it ever shall. And who are the persons who have taken on themselves to violate the rights and injure the character of the editor? They are officers not even known to the Constitution. Creatures of the Executive, and subject to his will. Shall such men be above the law? intercept private correspondence and run private character down? If they are not brought before the courts of justice for their arrogance, it is because they fear the tribunal of the press more.* The day after this article appeared, Bache was arrested on a charge of libelling the President, Congress, and the Secretary of State.† The same day, June twenty-sixth, Mr. Lloyd brought in his bill. The title he gave it was "An Act, in addition to the act entitled 'An Act for the punishment of certain crimes against the United States'"; but the people called it the Sedition Law, and, in their execrations, coupled it with another more infamous still to which Adams had just affixed his name. "An Act concerning aliens," or the Alien Law, had passed the Senate on the eighth of June, and was taken up by the House on the nineteenth. To do this, the representatives turned from the consideration of a very similar bill of their own, a bill for the restraint of dangerous and seditious persons, which had been long under debate. Gallatin was at a loss to know why this was done. Both were for the same purpose, and this purpose was the removal of aliens from the United States. He did not believe the general Government could do this. All powers vested in the Government were either distinctly specified in the Constitution or were such as were necessary for carrying the specified powers into effect; for an amendment provides that powers not delegated are reserved to the States. Nobody contended that a right to remove aliens was given to Congress in so many words, but that it was implied. One member found it in the power to regulate commerce. This could not

* "The Plot Unravelled." Aurora, June 25, 1798. See, also, a pamphlet, "Truth Will Out! The Foul Charges of the Tories against the Editor of the Aurora repelled by Positive Proof and Plain Truth, and his Base Calumniators put to Shame."

† Aurora, June 27, 1798.

be, because the bill was not for commercial but for political purposes, and affected not only alien merchants, but aliens generally. Another found it in the clause, "Congress shall have power to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defence and general welfare of the United States." It came, he said, under the authority to provide for the common defence and general welfare. To construe the clause in this wise was, Gallatin held, a mistake. The meaning was not that Congress in the first place should lay and collect taxes, and in the second place provide for the general welfare; but that taxes should be laid and collected for the purpose of providing for the common defence and general welfare. Others took a general ground, and maintained that the Government could do anything necessary to preserve and defend itself. If this were so, why were limitations set by the Constitution? Suppose a dangerous conspiracy existed, and, to meet it effectually, Congress thought it necessary to suspend the Habeas Corpus, could such an act be passed? No, not unless there was, in the language of the Constitution, "actual rebellion and invasion." There was, then, clearly no general ground for this power to drive out aliens, no direct grant of such power, nothing from which it can be implied. Was there no clause by which it was forbidden? Congress, says the ninth section of the first article, shall not prohibit the migration or importation of such persons as any of the original thirteen States shall think proper to admit. How, then, can it pass an Alien Bill? To say the expression "such persons" means slaves is absurd. The words are migration or importation of such persons. Can slaves migrate? No; they are imported, and the prohibition therefore applies both to emigrants, who come because they wish to, and to slaves, who come because they are brought.

The Federalists argued that "admit" had a special meaning and made a special law necessary, and that, until the States passed laws declaring they did admit aliens, Congress had power to keep aliens out. Express power to do an act was not necessary. Every session bills were passed for which no expressed power was given. The bank charter was one case. The Extradition Law was another. The war powers of Con-

gress, they held, were all-sufficient to justify the act concerning aliens, and, by a vote of forty-six to forty, carried the bill. On June twenty-fifth the President approved. He thus became vested with power to send away all such aliens as he judged dangerous to the peace and safety of the United States, or had reason to think were hatching treason or laying plots against the Government. Should any one so ordered to depart be found at large, without a license to remain, he might be imprisoned for three years and could never become a citizen. Aliens imprisoned in pursuance of the act were subject to removal from the country on the order of the President, and on voluntarily returning to reimprisonment for such time as the President might think the public good required. That no aliens should escape, sea captains were, after July first, 1798, to make report in writing of the names, ages, and places of birth of all foreigners brought over in their ships. Circuit and District Courts of the United States were given cognizance of offences arising under the law. Aliens sent away were to be free to carry goods and chattels with them, and dispose of property left behind in any manner they pleased.* The law was to expire two years from the day of passage, and the day of passage by the Senate was the twenty-second of June.†

The fame of this remarkable act has cast deep in the shade that of two others equally severe on alien friends and alien enemies. The first, enacted some weeks before, amended the naturalization law, lengthened the necessary term of residence to fourteen years, and provided that foreigners seeking naturalization must declare their intentions five years before the time for obtaining papers. Aliens coming to dwell in the United

* While the Alien Bill was pending, Humphrey Marshall wrote a poem of seventy-four stanzas, which he called The Aliens: A Patriotic Poem. By H. Marshall, a Senator of the United States. Occasioned by the Alien Bill, now before the Senate, May 15, 1798. Save as a literary curiosity, it is worthless. As a curiosity, the first stanza will do as a specimen of the whole:

"In Europe born, a prostrate land,
They grew to disdain, a station;
Where most, to tyrants, stoop and bend,
Like slaves of base bred, condition."

† Passed by the Senate June 8. Amended and passed by the House June 21. Amendments concurred in by the Senate June 22. Signed by the President June 25.

States after the passage of the act must be registered. Such as were enemies could never become citizens; such as were friends must, before taking the oath of citizenship, produce certificates of registration in proof of residence in the country for fourteen years. By the second, enacted some weeks later, the President was given the right, in case of war declared or invasion threatened, to seize, secure, or send away all resident aliens, whether natives or adopted citizens of the hostile nation. Neither of these laws was ever carried into effect, yet hundreds of timid and harmless emigrants gathered their property and fled. Factious men remained; for, having already become citizens, they were beyond the reach of the Alien Act, but, unluckily for them, not of Lloyd's Sedition Law.

This act was carried in the Senate on the fourth of July, by three votes in the House on the tenth, and was directed against seditious acting, speaking, writing, publishing, and putting in print. Henceforth any hothead who conspired with intent to oppose a law of the United States, who, by intimidation, hindered any person holding place or office from doing what his duty required, who caused, advised, even attempted to procure, any insurrection, riot, or unlawful gathering, behaved seditiously, was guilty of a high crime and misdemeanor, and might, on conviction, be fined as much as five thousand dollars and imprisoned for as long a time as five years. This, in the eye of the law, was the worst form sedition could take, and next to it came writing, printing, uttering, publishing, or causing, procuring, or willingly and knowingly helping any one to write, print, or publish any false, scandalous, and malicious writing against the Government or against the Senate or the House, or the President of the United States, with intent to defame and bring them, severally or collectively, into disrepute. For this offence the greatest fine was two thousand dollars and the longest term of imprisonment two years. The offender might at the trial give the truth of the matter contained.

Republicans cried out against the bill as unconstitutional, as violating the reserved powers of the States, the liberty of the press, and the freedom of speech. Federalists maintained that liberty of the press did not mean licentiousness, and that

freedom of speech only meant a right to say anything and be answerable to the party harmed. I have, said one, liberty to drive a horse; but does that mean I may run down and injure every one I meet on the road? Another pointed out that Virginia, whose representatives were so fierce against the bill, had a law against swearing, which was only exercising the liberty of speech; and a law against seditious writing,* though the State constitution distinctly said, "the freedom of the press cannot be restricted except in despotic governments." So, too, New Hampshire. Then the supporters of the bill heated each other by reading long and abusive articles, full of that atrocious kind of slander which the editor of the Aurora and the editor of the Time Piece alone knew how to write.

For passing the act there was unquestionably great provocation. No man who has not waded through the political literature of the closing years of the last century can form any conception of the depths of falsehood, of knavery, of calumny, of shameful abuse to which it is possible for writers of pamphlets and editors of newspapers to descend. Yet the Sedition Law was most untimely and unwise. Had the Federalist congressmen assembled in caucus and debated by what means they could make themselves more hated than they had ever been before, by what means they could destroy their present power, by what means they could turn thousands of "black cockaders" into bitter and inveterate foes, they could not, by any possibility, have found a means so efficient as the law against libellous and seditious writing. Hamilton saw this plainly, and begged them not to set up tyranny. Energy, he reminded them, was one thing; violence was another. But they would not listen to him. Their faces were set toward destruction. And, from the day the bill became law, the Federal party went steadily down to ruin.

And what, asked the Republican newspapers, is a libel? A libel is whatever a Federal President, Marshal, Judge, and Grand Jury choose to make it. The President orders the prosecution. The process goes out in his name. He appoints the Marshal. The Marshal summons the grand and petit jurors, and, in a large city, Federal Tories for this duty may be had

* An Act of December, 1792.

in plenty. Nor is this all. The Federal judges are likewise named by the President, who, if they behave well, may make them Envoys Extraordinary, as he did of John Jay.* Does any man hope for an impartial trial before such a tribunal as this? The thing is an infamous mockery of justice. The moment the law takes effect, the Democrat who squints at the President through a pair of spectacles will be guilty of sedition. To look at him through an opera-glass will subject the man to misprision of treason. To utter the disorganizing syllable Bo! to a goose, will be treason in the last degree.† To laugh at the cut of a congressman's coat, to give a dinner to a Frenchman, to let him sleep in your bed, will be treason.‡ When election time comes round, it will no longer be safe to speak of a member's doings in the House lest it "bring him into contempt and disrepute."# Do the Tories really think their gag-law will be obeyed? If one knows a member to be actuated by bad and wicked motives, shall he not say so? Can any man read the amendments to the Constitution and say such freedom of speech can be abridged? Certainly not.‖ The independent citizens of America will never be deterred from a manly censure on their servants. May the hand be palsied and the voice grow dumb that shrinks from such a task, let the threats of the servants of the people be ever so loud.△ As for the creature who proposed this gag, let him have that kind of immortality which has fallen to the lot of the ruffian who burned down the Temple of Diana. Give the name of this Vandal, this Goth, this Ostrogoth, this Hun, to be a byword among the nations! Hold him up while living to the execration of mankind. Consign him when dead to the abhorrence of posterity.◊

There is an old saw, replied a Federal journal, that the galled horse will wince. Benedict Arnold complained of the Treason Bill. Parson Burroughs thought the laws against burglary an abridgment of the rights of man. For the same reason the Jacobins now raise a great hue and cry over the Sedition Bill.‡ For his share in the hue and cry the editor of the In-

* Greenleaf's Daily Advertiser, July 11, 1798.
† Carey's United States Recorder, July 3, 1798.
‡ Independent Chronicle, July 5, 1798.
# Ibid., July 19, 1798.
‖ Ibid., July 5, 1798.
△ Ibid.
◊ Ibid., June 18, 1798.
‡ Columbian Centinel, July 28, 1798.

dependent Chronicle was soon expelled from the Fire Society at Boston,* and the editor of the Time Piece, on a charge of libel, put under arrest.† But the first to be tried and convicted was he the Federalists named the Beast, from Vermont. Matthew Lyon, while the Sedition Bill was on its passage through the House, wrote and dispatched a letter‡ which, after Adams signed the bill, was read by the subscribers to the Vermont Gazette. The letter was no worse than those hundreds of honest gentlemen were constantly exchanging through the mails or intrusting for delivery to the care of private hands; no worse than Jefferson's letter to Mazzei, than Adams's letter to Tench Coxe, than the yet more famous letter in which, two years later, while the Sedition Law was still in force, Hamilton maligned Adams. But Lyon had long been a marked man. His conduct in the House, his fracas with Griswold, his hatred of idle show, had made him many enemies, and his enemies now took their revenge. He was no sooner at home than he was arrested for libel on three counts. The letter to the Gazette was one. Reading some extracts at a political meeting from Joel Barlow's letter to Baldwin was the second. Abetting the publication of the Barlow letter in full made the third. This Barlow is memorable as the only one of our countrymen who has been guilty of the folly of attempting to produce an American Epic Poem. But a better title to immortality is the infamous part he bore in enticing ignorant Frenchmen to buy and settle the lands of the Scioto Company on the Ohio. Toward Adams, Barlow felt the same contempt which any man who admires poetry must feel toward the scribbler who debased the English language by writing "The Columbiad," and, when he heard that John Adams was chosen President, he poured out his thoughts on the political situation in a letter to Abraham Baldwin, a brother-in-law and a member of Congress. The letter abounded in objectionable passages; but the one selected by the prosecutors of Lyon contained an expression of surprise that the answer of the House to the President's speech of April third, 1797, had not been "an order to send him to a mad-house."

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* Independent Chronicle, July 16, 1798. † Ibid.

‡ Dated June 20. Post-marked Philadelphia, July 7, 1798.

Lyon in his own letter denounced the fast-day proclamation as using the "sacred name of religion as a state engine to make mankind hate and persecute each other"; lamented that "every consideration of the public welfare was swallowed up in a continual grasp for power, an unbounded thirst for ridiculous pomp, foolish adulation, and selfish avarice"; and that, while good men were turned away for "independency of sentiment," "mean men" got places. When the trial came he conducted his own case, and began by challenging some members of the jury chosen by the Marshal. But the Judge denied the right of challenge, and berated him for not knowing the law of his own State. Then he attempted to prove the truth of some of his charges by making a witness of the Judge. Have you not, asked Lyon, have you not often dined with the President and seen his ridiculous pomp and parade? The Judge protested that on such occasions he had seen only a decent simplicity, and, when the verdict of guilty was returned, scolded the prisoner, fined him one thousand dollars, and committed him to the jail for four months.

The jail was at Vergennes, and was a fair specimen of the horrible dens in which, all over the country, our ancestors confined criminals and debtors. Though the season was late and the weather cold, the authorities would give him no stove. With great reluctance they consented to put glass in the one window that lighted the cell. No one seems to have been kind to him but the jailer, the parish parson, and a man named Byrd, the most acrimonious of all the Federalists at Vergennes. Yet he was not forgotten.* James Lyon, a son, kept his father's cause before the public in a little publication which he called The Scourge of Aristocracy, and Repository of Important Political Truths. The truths were such as were contained in Livingston's speech on the Sedition Bill, in the presentments of the Alien and Sedition Laws by Grand Juries, and county meetings in Virginia and Tennessee, and in extracts from the Aurora and like Republican prints. His friends petitioned Adams to release him from jail, but, when told that Lyon had not signed the paper, Adams refused. To relieve his distress, a lottery was started, his houses, his lands, his mills,

* The Scourge of Aristocracy, vol. i, No. 4, pp. 164–166.

his foundry made the prizes, and the people urged to be prompt in saving from poverty the first sacrifice on the altar of Sedition. In the call were some strong expressions, and the Government, to its shame, had the printer of the Gazette fined and imprisoned. Stevens Thomson Mason, of Virginia, started a subscription to pay the fine; his district re-elected him to Congress; and some friends, to revenge his cause, girdled the apple-trees in the orchards of the men who testified against him, and celebrated his release from "the Federal Bastile" in a "Patriotic Exultation." *

Insult and violence were everywhere. Young men at New York were stopped in secluded places and stripped of their black cockades.† At Hackensack village a huge liberty-cap had during four years adorned the top of a tall pole. The cap was now denounced as a symbol of the exploded Jacobinism of ninety-three, as an offensive link between America and France, was pulled down, buried, and an eagle put up in its place. ‡ At Newburg, liberty-poles were raised and inscribed

* The poem sung on that occasion was written by Citizen Haswell, of the Vermont Gazette, and contains these stanzas:

"Come take a glass and drink his health,
Who is a friend to Lyon,
First martyr under Federal law
The junto dared to try on.

. . . . . .

"The liberty of speech and press,
Our sacred right by charter,
Our Constitution shall express
When Jacks are at low water."

In another song was this:

"The freedom of speech, to discuss and debate
On the deeds of our servants who govern the State,
We'll never resign to the sticklers for power,
Though courtiers and sycophants frown and look sour."

See a broadside, "Patriotic exultation on Lyon's release from the Federal Bastile in Ver gen nes, State of Vermont. Bennington, third day of release, February 12, 1799. No thanks to Power."

† A reward of fifty dollars was offered for the discovery of any one guilty of this offence. American Daily Advertiser, July 12, 1798.

‡ New York Gazette, July 11, 1798.

"No British Alliance. No Sedition Bill."* They soon came down. A third cap was taken from the flag-staff at Newark.† One August day a party wearing black cockades rode into Mendham, a little village not far from Morristown, in New Jersey, cut down the liberty-pole and took away the cap. For this the Mendham men were taunted by a New Brunswick newspaper as cowards. Stung by the reproach, they gave notice in the Elizabethtown newspaper that, on a certain day, another pole should be raised, and defied the Federalists to come and cut it down.‡ As Matthew Lyon passed through Trenton, on his way home, he was grossly insulted, hustled, and followed far out of town by a crowd and a band of fiddlers playing the Rogue's March.# The same treatment awaited him at New Brunswick.‖ When Gallatin reached Reading a great mob surrounded the tavern, while some musicians played the Rogue's March, and, as he was about to enter his carriage the next morning, burned his effigy before his face. At Fredericksburg his effigy was chained in the stocks for two days.^ Adams, on his way to Braintree, caused a riot at New York. The day he was expected to arrive, a company of artillerymen were drawn up behind the new Battery ramparts to fire a salute as he approached. As the time drew near a rumor spread that the President was to be rowed over from Paulus Hook in the barge of the British frigate Topaze. The gunners instantly threw down their matches and refused to serve. Nor could they be induced to return to their guns till the report was positively disproved. The commander of the Topaze did offer the use of his barge, but Adams had the wisdom to decline.◊ After nightfall, while the citizens were taking their airing on the Battery Walk, a crowd of Federalists appeared, with flags and music and black cockades. Thinking them bent upon mischief, the Republicans gathered and followed them up Broadway till opposite Brockholst Livingston's house. There the Republicans remained to cheer. The Fed-

* Carey's United States Recorder, July 19, 1798. † Argus, June 23, 1798.
‡ Argus, August 24 and 29, 1798. # Columbian Centinel, August 1, 1798.
‖ Porcupine's Gazette, July 23, 1798.
^ Independent Chronicle, October 8, 1798.
◊ Carey's United States Recorder, July 31, 1798.

eralists went on to the Common, where the City Hall now stands, sang "Hail, Columbia," and the new patriotic songs, and, at a late hour, went back to the water-front. There the Republicans retaliated by singing "Ça ira" and the "Carmagnole." Some pushing and jostling took place, and a fracas broke out, in which the Republicans declared the secretary of Adams bore a chief part. In revenge, the guns on the Battery were every one spiked.*

The anger of the two parties did not always show itself in so serious a way. In Connecticut, on the fourth of July, an old farmer wore a chip from the cow-yard in his hat in mockery of the black cockade. A man in Vermont, who advertised for American eagle-eggs, got a dozen ounce-balls in reply.† Tradesmen sometimes put at the head of their advertisements the words of Y.: "Il faut de l'Argent—il faut beaucoup d'Argent." ‡ Liberty-poles were nicknamed the wooden gods of sedition. A common toast in the taverns was, May the American Eagle pluck out the Gills of the Gallic Cock. The night John Marshall was present in the Fredericksburg Theatre a disturbance arose. He should, the crowd declared, have the same kind of reception at Fredericksburg from them that Matthew Lyon had at Trenton and New Brunswick from the Tories.#

Marshall had come back to the United States early in June. Wearied by the delay, and angry at the demands of X., Y., and Z., the three envoys addressed a long letter to the Minister of Foreign Affairs. The document was dated the seventeenth of January, 1798, but was not delivered till the last day of the month. The subject was a French law commanding the capture of neutral ships with the products of Great Britain on board. The Minister was reminded how contrary this was to the rights of neutral nations, how repugnant to the treaty between America and France, how ruinous to what little com-

* New York Gazette, August 24, 1798. At Portsmouth, N. H., the cannon were filled with stones. † American Spy, August 28, 1798.

‡ One of the best of these occurs in the Newburyport newspaper, and is in these words: "The above articles will be sold low for cash. 'Il faut de l'Argent —il faut beaucoup d'Argent': that is, in plain English, money, money; he wants money as much as the French do."

Carey's United States Recorder, August 16 and 18, 1798.

merce still remained to the United States. The envoys then added that they could not but feel that the demands of France made their powers of no avail, that they were not permanent Ministers, but envoys extraordinary, and that, under such circumstances, to stay longer in France would be wrong. Two weeks went by, and no answer came. Major Rutledge was then sent to ask the Minister if he had any to make.* M. Talleyrand answered that he had none. A note was next sent asking an interview.† The second of March was appointed; the envoys went, accomplished nothing, and came away. Not till the eighteenth of March was an answer to their letter received. It was most insolent, began by accusing them of deceit, and ended with the assurance that the Directory would "treat with that one of the three whose opinions, presumed to be more impartial, promise, in the course of the explanations, more of that reciprocal confidence which is indispensable." The envoys made a long reply, and asked, if the Directory would send passports, that the papers might accompany letters of safe conduct to protect them from the cruisers of France. M. Talleyrand now addressed Gerry. He supposed that Pinckney and Marshall had seen fit, moved by the hints in his letter and the obstacle which their known opinions placed in the way of reconciliation, to quit the soil of France. He would, therefore, name two days in the month Germinal, on which Mr. Gerry might call and speak his mind.

Mr. Pinckney was kept at Paris by a daughter's illness. John Marshall started home, landed at New York, and was welcomed at Philadelphia with unfeigned joy. While he was still riding toward the city, the Secretary of State, with a troop of cavalry and a great crowd of citizens, went to meet him and bring him in. The church-bells rang loudly. The streets through which he went were choked with people shouting and singing "Hail, Columbia," and blessing him as an honest gentleman who would not sell his countrymen to the Sans-Culottes of France. Federal congressmen gave him a dinner, and the President, in a message to each House, congratulated them on the envoy's arrival at a place of safety where he was held in such just esteem. ‡

* February 19, 1798. † February 27, 1798. ‡ President's Message, June 21, 1798.

Meanwhile Gerry was at Paris conferring informally and without orders with M. Talleyrand. For a whole month the negotiating went on. Nor did it cease when a dispatch-boat with a letter of instruction arrived from the United States.* Should a treaty be under discussion, the envoys were bidden to bring it to a close. Should they not have been received, or received and yet no treaty broached, they were to demand their passports and return.† The commands were clear, precise, and not to be misunderstood. And, had Gerry acted like a man of spirit, he would that moment have gathered his papers and left France. But he did not. The dispatch-boat was detained, and for three more months he continued to be played with by Talleyrand. Sometimes the Minister's secretary was seen, and always declared that France did not wish to see the British treaty abrogated. Once, when the Minister was seen, Gerry was assured the Directory had no thought of war. A hint was even dropped that a minister would be sent to the United States. Delighted at the prospect of such a thing, Gerry stayed confidingly on till, one morning, he took up a Paris newspaper and was filled with surprise at what he read. In it was a notice of the publication of the X. Y. Z. dispatches and a demand that he should pronounce them false.

Alarmed for his own safety he now collected his papers and made ready for the worst. The worst was a note from the Minister with a copy of the London Gazette containing the dispatches in full. In the letter was a demand for the names represented by the letters W., X., Y., and Z., and a request that the envoy should give his own dispatches the lie. Had one spark of manliness been in him, Gerry would that instant have turned his face toward home. But he again swallowed the insult, made some vain explanations, and meanly gave up the names.‡ Talleyrand did not need such information. He knew their names well. He had himself assured Gerry that whatever Bellamy might state was correct, and had sat down to dinner with Gerry in the presence of Hottinguer and Bellamy too. Hauteval had disclosed himself in a letter. But he now

* May 12. † Pickering to the envoys, March 23, 1798.

‡ W. was not disclosed; X. was a Mr. Hottinguer; Y., a Mr. Bellamy; Z., a Mr. Hauteval; and the lady, a Madame de Villette.

had Gerry's explanations and admissions, and he hastened to put them in print. The acts of the three agents were indignantly disavowed. Pinckney and Marshall were bitterly assailed, and denounced as dupes. On Gerry were bestowed some of those peculiar compliments which a Frenchman delights most to give.*

* The history of this remarkable mission was placed before the people in every conceivable way, both in prose and verse. The longest of the poems bears the title, "French Arrogance; or, The Cat let out of the Bag. A Political Dialogue between the Envoys of America and X. Y. Z. and the Lady," 1798, and makes a pamphlet of thirty pages. Another and a shorter one is "The Five-Headed Monster; or, Talleyrand Dissected. A New Song for the Jolly Tars of America." The tune was "Derry Down," and, as the song was long very popular, a few stanzas may not be out of place:

. . . . . .

"Safe landed on shore after storms and disasters,
They at length see the lacquey, but can't see the masters;
For (strange to relate), without tipping a teaster,
You can't get a peep at the five-headed Beast, sir.
Chorus. Derry down, down, down, derry down.

"Then these three hearty lads, without fuss or grimace,
In plain, honest lingo lay open their case,
And said, 'Our old friends, we have sail'd in one ship;
Let's drown all dispute in a can of good flip.'
Chorus. Derry down, etc.

"'Not so fast, my good fellows,' says sly Talleyrand;
'First tip us the chink, and then come cap in hand;
For, though about justice and honor you prate,
Without ready rhino 'tis idle debate.'
Chorus. Derry down, etc.

. . . . . .

"Now let each jolly tar, with one heart and one voice,
Drink a can of good grog to the man of our choice;
Under John, the State pilot, and George's command,
There's a fig for the French and the sly Talleyrand.
Chorus. Derry down," etc.

The excitement over the X. Y. Z. dispatches was made the subject of a "Dramatic Piece," called "The Politicians; or, A State of Things," which is a fair specimen of dramatic writing by the Americans of that day. For a serious consideration of the dispute, see "What is our Situation, and what our Prospects? A few Pages for Americans, 1798." "An Oration on the Rise and Progress of the United States of America to the present Crisis, and on the Duty of the Citizens." By Alexander Addison, 1798. "Address to the People of Maryland on the Rise, Progress, and present State of French Aggression, with a Sketch of the Infamous Attempts to degrade the Government of the United States, and some Reflections on the late Proceedings in Congress, 1798."

The harm, however, was done. The defence amounted to nothing. The dispatches, translated into a dozen Continental tongues, were scattered broadcast over Europe by agents of the British cause. From Hamburg came Bellamy's defence. Every statement of the French Minister was pronounced untrue. The solemn assurance was given that in the American affair not a step had been taken, not a word had been said, without the knowledge and express orders of M. Talleyrand. Undoubtedly this is true. Had Talleyrand confessed this, there would then have been every reason to believe the X. Y. Z. negotiation was the handiwork of knaves. For if the great Frenchman ever in his life spoke the truth, he did so grudgingly, and because neither pleasure, nor profit, nor injury to a friend was to be had by uttering a downright and deliberate lie.

The correspondence which now went on between this singular pair is far from diverting. On the one side all is knavery, insolence, and trifling excuse; promises fairly made, but never for a moment intended to be kept. On the other side all is vacillation, the credulity of a child, timidity, and a strange dulness. Gerry writes to Talleyrand declaring that he must now return in the dispatch-boat waiting at Havre, and hopes that the sketch of a long-promised treaty may go back with him. The reply is abuse of the President. Adams, when sending the dispatches to Congress on April third, ought not to have kept back the Minister's letter of the eighteenth of March. Talleyrand is then reminded that a letter cannot go from Paris to Philadelphia in two weeks. But he is not to be caught, is ready with another lie, and denies having accused the President of keeping back his note. What he meant was that Adams did not tell Congress that the Directory would treat with one of the Ministers; but not with the other two. Gerry now begged for his passport over and over again. At last it came, and with it a note full of assurances that France loved nothing so much as peace. Had she not, since Marshall went away, made many offers to treat? The United States had suspended commercial intercourse, had fortified her cities, had raised and armed troops, had even bade her seamen capture the cruisers of France. Yet this could not move the Di-

rectory to retaliate. The most France would do was to lay a temporary embargo on American ships, and wait till actually forced into war. Gerry's reply to this is the only one in his long correspondence that deserves to be read without a blush. It soon appeared in print, and forced Talleyrand to add one more to his hundreds of thousands of falsehoods. In spite of all that had passed, in spite of the messages of the three go-betweens, in spite of the paper he wrote and burned before Gerry's face, he now had the impudence to deny that any reparation for the President's speech was wanted, or that a loan had ever been asked. Four days later Gerry, with his passports in his pocket, began his journey home. At Havre the tricks of the Minister kept him two weeks. On the eighth of August he set sail. The work which he accomplished has ever since been the subject of dispute; for there have always been those who think that he did nothing and those who think that he did much. His Federal countrymen accused him of having sold himself to France, which was false, and of having sacrificed the dignity of his country to a mean ambition to acquire fame, which was partly true. He did wrong to separate himself from Marshall and Pinckney. He had no powers to treat separately, and by attempting to do so he suffered France to decide who should and who should not be Minister from the United States. Appointing him to a place on the commission was concession enough to France and the lovers of France in America. The principle on which the envoys were chosen was most judicious; for the President was determined they should represent the three great sections of the country and the two parties striving for its control. To Pinckney, who represented the far South, Adams was at first disposed to have Hamilton and Madison joined. But Jefferson soon brought word that Madison would not take the place, and the heads of departments, when consulted on the matter, threatened to resign. They could not approve the selection of Madison, nor did it seem likely the Senate would confirm. Having given up Madison, Adams gave up Hamilton too, and suggested Richard Dana or Elbridge Gerry as the man from the Eastern States. Dana was liked best, was appointed, and refused to serve. Once more the Cabinet was assembled and asked if Gerry should be

named. Each one of the five promptly answered No; and so the matter was settled in the affirmative. "Such inveterate prejudice," John Adams afterward declared, "shocked me. I said nothing, but was determined I would not be the slave of it." Gerry was accordingly nominated to the Senate, and confirmed.

The man thus chosen to be the representative of the Eastern States was born and reared at Marblehead, than which, in his day, no finer specimen of a New England fishing-town existed. His family longed to see him a physician; but he followed his own inclinations, and, after leaving college, engaged in mercantile affairs. Nature placed him in that great class of men who are dissenters without being revolutionists, and objectionists without being conservative; men who, while they destroy with judgment, cannot build up. Such men were Samuel Adams, and John Hancock, and Thomas Jefferson. Either Adams or Hancock might, like Jefferson, have written the Declaration of Independence; but neither of the three could have drawn a constitution that would have lived six months. For Gerry, therefore, as for these men, the Revolution opened a field of great activity. He became a patriot, and rose rapidly, step by step, from a place on a Committee of Correspondence to a seat in the Continental Congress. There the severity of his Republicanism was often displayed. No attempts to strengthen the general Government found any favor with him. When his State bade her delegates place before Congress a request for a revision of the Articles of Confederation, Gerry and his colleagues would not obey. When the Constitution was placed before the Convention for signatures, Gerry refused to sign, went home, and denounced it vigorously. From that hour he was an Antifederalist, an opposer of the measures of Government, a Republican. He could support no cause which was not the cause of opposition. But he was not the only man who, in the summer of 1798, acted the part of private envoy to France.

The name of his imitator was George Logan, a Friend, and a descendant of a Pennsylvania family not unknown to fame. One member had been secretary to William Penn, and another is still gratefully remembered as the founder of that fine library

which bears his name. He was himself a man of property, and possessed of that strange mixture of benevolence and conceit which, in little things, makes men busybodies, but often turns them into benefactors when concerned with matters that are great. A stanch Republican and a warm admirer of France, he seems to have been sorely grieved that the two Republics should fall out, when the whole trouble might be smoothed by a little tact, a little judgment, and a few kind words. Enthusiasm mastered his good sense. He felt divinely moved to do what the three envoys had failed to do, and, at his own cost, without a passport, with merely a couple of letters from Thomas Jefferson and Thomas McKean, he quietly sailed for France. There he was hailed by the newspapers as the true envoy of peace, was dined and feasted by Merlin, was received by Talleyrand, and came home to Philadelphia in November with some copies of old letters to the Consul-General, and the verbal assurance that France would negotiate for peace. With all possible haste he sought the Secretary of State. But Pickering was not in town. Few of the citizens were, for, since Logan's departure, Philadelphia had been depopulated, and thousands of the inhabitants borne to the grave.

Once more the yellow fever had swept through many northern cities and towns. At Boston the sickness was attributed to putrid beef. Fifty or sixty quarters of decaying flesh from the market had been thrown from the docks into the bay. The tide, it was thought, would carry them away. But the water went out and came in, and went out again, and the meat still lay festering in the sun. What the physicians declared were high bilious and putrid fevers broke out in the neighborhood. The selectmen, in alarm, ordered sixty hogsheads of lime to be emptied into the dock.* But the people had become frightened, and, in a few weeks, ten thousand souls were estimated to have fled into the country.

At New York medical men feared the filth in the streets would of itself breed the pestilence. This seemed so likely that the people gladly responded to a call, gathered at the pumps one August afternoon, and worked vigorously for fifteen minutes.† But even this could not wash away the dirt,

* Carey's United States Recorder, August 16, 1798. † Argus, August 13, 1798.

and the fever came. The seasons, it was afterward observed, gave numberless signs and tokens that the atmosphere was in a strange state. Thunder and lightning were earlier and less frequent than usual. The spring and summer were remarkably dry. The hay crop was scanty. The Jamestown-weed was plenty. Purslane grew without putting forth leaves, and fruit-trees in many places gave promise of a second crop. Ants and mosquitoes, roaches and crickets, had never been so many. Old farmers could not remember a time when the grasshoppers came in such swarms. A strange mortality raged among the cats and rats. The dogs were affected by a distemper. In New England, owing to some disorder, the foxes became the hunters' easy prey. Such facts, the people claimed, were not to be overlooked. They were signs of an atmospheric condition most favorable to the growth of disease.

When the fever broke out at Philadelphia the cause was hotly debated. The Academy of Medicine declared it was of domestic origin. The sultry weather, the stagnant water in the muddy streets, and the foul air from the holds of ships, had caused it all. The College of Physicians were equally sure the fever was imported, and pretended they could name the ship in which it came. On the evening of the eighth of July the armed ship Deborah, from Jeremie, anchored off the marine hospital, rode at quarantine for ten days, discharged her cargo at the Race street wharf, and went up to Kensington for repairs. In a few weeks fifteen persons, who had been on or near the Deborah, were dead. The malady was clearly yellow fever, and spread rapidly. Every day reports of deaths and new cases came crowding in. Fifty-three died during the first week in August. Not one in six got well. Terrified at such a death-rate, the people shut their doors and fled. From one square, whence, in 1793, but twenty-five removed, one hundred and forty persons went in 1798. Forty wagons loaded with furniture were counted moving at one time out of town. At the hospital burying-ground the grave-diggers were never idle day nor night. So many were the dead that separate graves ceased to be dug; a huge trench was made, and into this bodies were thrown so fast that the diggers, as they removed the earth before them, turned about and threw it over the corpses that

filled the trench behind them. Every night bodies were thrown over the hospital-wall. Some were found lying in the street. Others were detected by the stench they gave forth. The suffering of those who depended for a living on the wages gained by daily toil, the men who carried hods, who sawed wood, who rolled hogsheads and lifted bales along the docks, who drove the carts, or hawked gilt gingerbread for the children to buy, was extreme. It was with difficulty they could procure a crust each day. All employment ceased, all the shops were closed. No credit was to be had. Not a baker remained in town. In this pass the Guardians of the Poor and the Board of Health came forward. Tents and sheds were put up on the east bank of the Schuylkill, and soon twelve hundred starving creatures were gathered along the river where the Chestnut street bridge now stands. But even this was not enough. A call for aid, for money, tents, boards, clothes, meat, food, anything that could help the sufferers, went out. The response was immediate. Philadelphians who had fled to Germantown ordered thirty thousand dollars to be raised in their name. Provisions poured in from New Jersey. Money was subscribed at Baltimore. "A Yankee Sailor" sent fifty dollars from Boston, and a second village of tents and sheds was soon rising at Master's Place, near where the Mill Pond stood.

The encampment was a well-ordered town, with a population of over two thousand. The streets were regular, well policed, and kept scrupulously clean. There were schools for the children, and a huge bake-house and kitchen where the food was prepared. Four fifths of the population of Philadelphia are said to have been in the tents and the neighboring towns. The others were urged to flee. Late in September a handbill was posted on the house-walls and scattered over the streets. The citizens were begged to leave before it was too late. One hundred, the handbill stated, were smitten with the fever each day. Half of that number died. If the malady continued for six weeks, one fourth of the population of the city would surely be no more. "Why," exclaimed the writer, "why do you prefer famine, sickness, and death, to health and plenty? Go, before it is too late." Meanwhile the Government offices had closed, the city tavern had closed,

the market was deserted, no ships came up to the wharves, the banks removed to Germantown. Three newspapers ceased to be printed. A fourth hastened to Germantown. A fifth put out but half its usual sheet, and Federalists all over the country heard with unconcealed delight that Benjamin Franklin Bache, printer of the Aurora, was dead.

Deserted by the inhabitants, the city fell a prey to vagabonds and thieves. Houses and shops were plundered. The Bank of Pennsylvania was robbed. The convicts in the prison made several attempts to escape. Alarmed at the depredations nightly committed, the men of Southwark, of Northern Liberties, and of the city, formed bands to protect the town. The firing of a field-piece was to be the signal. In Philadelphia the old Potter's Field was the place to which, when that signal sounded, all were to hurry. November came before it was thought safe to have the encampments on the Schuylkill broken up. Deeply grateful for the kind things done for them, the inmates of the tents and sheds requested to be suffered to march in a body to town. Every citizen, it was hoped, would behold the procession, and the inn-keepers on Market street were asked to draw all wagons close to the sidewalks that nothing might impede the march.* What people, it was proudly said, had ever looked down on a pageant such as this? Three thousand human beings, saved by the hand of charity from a shocking death, coming to give their deliverers thanks! Of such a sight Philadelphia might well be proud. The procession, unhappily, never took place.†

Pious men saw in this terrible mortality a new manifestation of the anger of God.‡ Why, they demanded, are the maritime cities so sorely afflicted year after year? Why is the vengeance of Heaven poured out on the seaports and not on the country towns? Because they are full of extravagance and dissipation, of idle folly and vain show. Because men are there consumed by an inordinate thirst for gain by speculating, land-jobbing, bank-jobbing, and the setting up of theatres and lascivious shows. Because there men are guilty of the sin of idolatry and reverence the name of man rather than the name

* True American, November 7, 1798.
† Ibid., November 8, 1798.
‡ New Jersey Journal, September 18, 1798.

of God. No city has been so often and so terribly scourged as Philadelphia. And is not Philadelphia the seat of political and pecuniary iniquity? In her streets have begun those schemes which have swept thousands of honest men on to ruin. There theatres have been promoted. There a few knaves have outdone even Donegam in sleight of hand. Under the names of bank-script and land-script they have played their cards with a success which puts the exploits of the learned pig to shame.* Another fanatic wrote a pamphlet of seventy pages on the theme. The pestilence, he held, was a punishment from the hand of God. In the black catalogue of human sins there were some which, as every considerate person must allow, had no small influence in bringing the calamity on the town. They were idleness and pride, profaneness, intemperance, covetousness, injustice, Sabbath-breaking, neglect of education, mockery of religion, unthankfulness to God, and bad books. Let the survivors, then, take heed. If the pestilence were not heard, if the language of the plague were not understood, something yet more arousing to reformation would surely come. Perhaps a war, or an earthquake, or a hurricane, or a deluge, might be sent. Nay, an angel in a cloud of black smoke might descend and burn the city.†

In this desolate city Logan landed one evening in November. Every Federalist firmly believed him to be an agent of

* See the Independent Chronicle, September 27, 1798.

† Philadelphia Reformed, or else Destroyed. By Thaddeus Brown, 1798.

The history of the yellow fever of 1798 may be read in the newspapers and pamphlets of the time. Memoirs of the Yellow Fever which prevailed in Philadelphia and other Parts of the United States of America in the Summer and Autumn of the Present Year, 1798. William Currie. History of the Pestilence commonly called Yellow Fever, which almost desolated Philadelphia, in the Months of August, September, and October, 1798. T. Condie and R. Folwell. This book gives the names of 3,521 dead. Facts and Observations relative to the Nature and Origin of the Pestilential Fever which prevailed in this City in 1793, 1797, and 1798. College of Physicians of Philadelphia, 1798. Among the other towns visited by the fever in 1798 were New York, where 1,524 died; Boston, Portsmouth, New Port and New London, New Milford, Royalton, and Windsor, in Vermont, and the Grand Isles in Lake Champlain; at Wilmington, in Delaware; at Chester, at Marcus Hook, at Chew's Landing, at Cooper's Ferry, at Lamberton, at Frankford, at Bristol, at Trenton, at Germantown, and at City Point, Virginia.

the Republicans, to have gone to Paris with dispatches from Jefferson and Bache, and to have come back with a statement of the ships and troops that could be furnished in case of an invasion by France. Rumors were abroad that he had been arrested and his papers found to be sealed; that he had fled from justice; that a horse had been provided on which he rode away the moment he set foot on shore.* For this some ground existed. As soon as Logan reached Philadelphia he went in haste to the office of the Secretary of State. The office was shut. The Secretary was still at Trenton. But such was the good Quaker's impatience that the next morning, which was Sunday, he procured a horse, crossed the Delaware and hurried toward New York.† At Trenton he was curtly received by Pickering, who most properly refused to receive the papers Logan bore. The American Consul had given them to him. They were from Talleyrand, and conveyed some assurances of the safety of American property in France.

From Trenton Logan returned to Philadelphia, and there had an interview with the Commander-in-Chief. The conversation and the meeting were quite characteristic of the parties and the men. Even when he wished to be most gracious, Washington seemed, to strangers, cold, distant, and reserved; but when it was his purpose to be chilling, he was chilling indeed. The stiffness of his attitude, the immobility of his face, the firm set of his mouth, the brevity and cold civility of his replies, had often made men, far more ardent than Logan, wish they had never called on him, and depart with their business yet undone. To Washington the doctor seemed a factious busybody and foolish meddler in affairs of state. The Quaker was taking on himself powers which even the House of Representatives could not share. Who should go to foreign courts, by whom dispatches should be delivered and received, who should speak the will of the country, was for the President and the Senate alone to say. If, every time a misunderstanding or a dispute arose, every benevolent old gentleman rich enough to bear the cost of a journey across the sea were at liberty to interfere, the country would, in a little while, be the butt and laughing-stock of the world. That George

* Argus, November 17, 1798. † Farmer's Register, November 21, 1798.

Logan meant well is true, but he was, despite his intentions, a great fool. As such Washington received him standing, and in the most distant manner. The doctor gave an account of his trip. Washington remarked that it was most strange that a private citizen, without power, should think that he could do what three accredited envoys, with full powers, could not. Logan thought not, solemnly protested that the charges made against him were false, that he was not sent by the Republicans, that not five men knew of his going till he went, that he took out no dispatches, but merely certificates of citizenship from Thomas Jefferson and Thomas McKean, and that he had done something, for Merlin had received him, and expressed great concern that the two Republics should once more be on friendly terms. Washington replied that if peace was really desired by the Directory, the way to show that desire was plain enough. Let the decrees against American commerce be repealed, let the plundering of American ships stop, let amends be made for injury already done. This, Logan asserted, would have been done had not the French believed America disposed to war. Washington asked if bearing and forbearing past all limits of self-respect, and then sending three envoys to reconcile matters, looked very much like war? But, said Logan, the Directory is disposed to peace; the embargo has been lifted. A matter of small consequence, Washington replied, as very few American vessels were in France. Logan, finding he could accomplish nothing, left.

Republicans received him warmly, elected him to the Assembly of Pennsylvania, pronounced him a true patriot, and declared he had, by what the faction called meddling, averted a ruinous war, and kept untold calamities from falling on posterity.* Federal wits for a while made him their butt, and likened him to Noah's pet dove. Twice had messengers been sent abroad over the troubled waters of the Sans-Culotte deluge, and brought nothing back. But the third dove, having flown slyly out of a back window, had returned with a withered leaf in his beak. Galled beyond endurance, the honest Quaker explained his conduct in a long letter to the people of the United States.†

* Argus, December 29, 1798. † Ibid., January 5, 1799.

CHAPTER XI.

THE DOWNFALL OF THE FEDERAL PARTY.

As Logan and his mission sank from public notice, the excitement produced by the X. Y. Z. dispatches died away. War was not near. The country was in no danger of a French invasion, and the baffled and humbled Republicans ventured to speak out. Public sentiment was already on the turn; the Federalists were doomed. To fix by a precise date the time when that triumphant party began its downward career is impossible; yet we cannot go far astray in placing the day just after the elections to the sixth Congress, an election which, for the first time in six years, gave the Federalists complete control of the House. A common error has been to ascribe the ruin of the party to the Alien and Sedition Acts. They did much, but not all. Looking over the work of the late session, Republicans could find nothing but what to them seemed iniquitous. The Naturalization Bill, the increase of the navy, the increase of the army, the duty on stamped vellum and paper, direct taxes and the public loans, were singled out in turn as fit subjects of complaint. But the best for immediate use were "An Act concerning aliens," and "An Act, in addition to an Act for the punishment of certain crimes against the United States." The stamp tax, the house tax, the Naturalization Bill, were much more odious and oppressive. But he must have been a simpleton who could not see at a glance that the best political capital, the most effective campaign shouts, the finest material for stirring speeches, pamphlets, and tavern resolutions, were contained in the Alien and Sedition Laws. Since the autumn of 1798 more than one hundred and seventy party cries have been heard in this country. Some

died with the occasion. Some went out of use, and came in and went out again. But there are two which have never been out of fashion, never been used without telling effect, and these two are "freedom of speech" and "liberty of the press." With these upon their lips, Republicans, whenever muster day, or court day, or general training brought a great crowd of people into town, made an attempt to have the Alien and Sedition Bills publicly condemned. Resolutions were framed, passed, and published in the public prints. Petitions for the repeal of the laws were sent through the country, and, when Congress met, great rolls, bearing thousands of names, were laid on the clerk's desk. They came from the counties of Suffolk and Queens, in New York; from the county of Essex, in New Jersey; from those of Philadelphia, Northumberland, Cumberland, Washington, Mifflin, Dauphin, and York, in Pennsylvania, and from Amelia county, in Virginia. In Virginia the discontent was particularly strong. The men of Prince Edward, when they beheld freedom of thinking restricted and freedom of speaking proscribed, trial by jury abolished, and the President armed with dangerous power, to be put to an odious use, felt justly and seriously alarmed.* The men of Powhatan considered the two laws to be tyrannical and unconstitutional, and resolved that alliance with any foreign government holding principles repugnant to our own ought to be avoided as dangerous to our liberty and our rights.† In Louisa county a great meeting was held on muster day.‡ Those present denounced a standing army, praised a well-regulated militia, opposed all foreign alliances, and declared the country quite able to stand alone. Liberty of speech and the freedom of the press were unconditionally guaranteed by the Constitution. The law to punish sedition was, therefore, an infringement on the people's rights. Sentiments of the same kind were expressed by the freeholders of Caroline county when they met on court-day.# In Tennessee the Grand Jurors of Hamilton District gave it as their opinion that the Alien Act was premature, because it was passed before 1808,

* Held August 20, 1798. Dixon's Observatory, September 24, 1798.

† Held September 19, 1798. Ibid., September 24, 1798.

‡ October 4, 1798. Ibid., October 28, 1798. # November 13, 1798.

and unconstitutional, oppressive, and derogatory to the general compact, because it took away trial by jury; that the Sedition Act cramped the press, and asked the Legislature of the State to express disapproval of both laws in a memorial to Congress.*

This was in some measure what the leaders of the party had determined should be done. They did not intend, it is true, to go through the idle form of praying a Federal Senate and a Federal House to undo so excellent a piece of party work. But they were fully resolved that, in such State Legislatures as were still Republican, a stand, and a determined stand, should be made against the encroachment of the Government on the reserved powers of the States.

Precisely what shape this opposition should take was, one day in the autumn of 1798, a subject of discussion between Jefferson, Wilson C. Nicholas, and George Nicholas, of Kentucky. Like thousands of other men, Jefferson was firmly convinced that the Federalists were longing to set up a king, and that the Alien and Sedition Bills were bold steps toward that end. In a letter written in October, the Vice-President had so declared himself. The acts, he believed, were but experiments on the American mind, to see if it would bear an open violation of the Constitution. If so, then another act making Adams President for life would surely follow; then another fixing the succession in his family, and, finally, the very members of the Senate would hold office for life.† That Jefferson ever wrote such folly is of itself enough to deprive him of every possible claim to statesmanship. Holding such views, he expressed a warm desire, as the conversation went on, to see Kentucky join with Virginia in protesting against the constitutionality of the two laws. George Nicholas was quick to act on the suggestion, and offered, if Jefferson would frame the resolutions, to have them introduced in the Kentucky Legislature. To this Jefferson agreed, took from his guests a solemn pledge never to make known the author, and wrote a set of resolutions which in November, with some modifications and scarcely a dissenting vote, was passed.

The Kentucky resolutions, as Jefferson drew them, were nine in number. The first defines the Constitution of the

* October 15, 1798. † Jefferson to Mason, October 11, 1798.

United States.* The second declares that power has been delegated to Congress to punish treason, counterfeiting, piracy, felony, offences against the law of nations, and no other crimes; that powers not delegated are reserved to the States, and that the law punishing the crime of sedition is, therefore, an exercise of undelegated power, and void and of no force. No power, it is stated in the third, no power over freedom of religion, speech, or the press being delegated, all lawful power regarding them remains with the States; and, what is more, Congress is expressly commanded to "make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press . . ."† The Sedition Law does abridge the freedom of speech, and, in consequence, is void. The fourth asserts that, no power over alien friends being delegated to Congress, they are under the protection of the States wherein they dwell, and hence "An Act concerning aliens" is void. The fifth resolution begins with the assertion that "the migration or importation of such persons as any of the States now existing shall think proper to admit shall not be prohibited by Congress prior to the year one thousand eight hundred and eight," declares that Kentucky does admit the migration of aliens, that to remove them when migrated is, in fact, a prohibition of migration, and "An Act concerning aliens" is therefore void.

A phrase in the fifth amendment is, no person shall "be deprived of life, liberty, or property, without due process of

* 1. *Resolved*, That the several States composing the United States of America are not united on the principle of unlimited submission to their general Government; but that, by a compact under the style and title of a Constitution for the United States, and of amendments thereto, they constituted a general Government for special purposes, delegated to that Government certain definite powers, reserving, each State to itself, the residuary mass of rights to their own self-government; and that whensoever the general Government assumes undelegated powers, its acts are unauthoritative, void, and of no force; that to this compact each State acceded as a State, and is an integral party, its co-States forming, as to itself, the other party; that the Government created by this compact was not made the exclusive or final judge of the extent of the powers delegated to itself; since that would have made its discretion, and not the Constitution, the measure of its powers; but that, as in all other cases of compacts among powers having no common judge, each party has an equal right to judge for itself as well of infractions as of the mode and measure of redress. † Amendments, Article I.

law." Imprisonment of a person, under the protection of the laws of Kentucky, for refusing to obey a mere order of the President to depart out of the country is, therefore, according to the sixth of Jefferson's resolutions, a violation of this amendment; hence the Alien Law, by remanding him to prison without accusation, without trial by jury, without confronting him with his accusers, and summoning witnesses for and against him, is void and of no force. In the seventh resolution the statement is laid down, that the construction applied by the general Government to the words of the Constitution, "to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defence and general welfare of the United States," and "to make all laws which shall be necessary and proper for carrying into execution the foregoing powers," destroys all limitations prescribed by the Constitution, and that the acts of the general Government under these articles will be fit subjects for revision in a season of tranquillity. The eighth is the longest and the bitterest of all. To take powers from the States and give them to a consolidated Government is there declared not to be for the peace, happiness, and prosperity of the States; that "this Commonwealth is determined, as it doubts not its co-States are, to submit to undelegated, and, consequently, unlimited power in no man or body of men on earth; that, in cases of an abuse of the delegated power, the members of the general Government being chosen by the people, a change by the people is the constitutional remedy; but where those powers are assumed which have not been delegated, a nullification of the act is the rightful remedy; that every State has a natural right, in cases not within the compact (*casus non fœderis*), to nullify all assumption of power by others within their limits"; but that, nevertheless, Kentucky would confer with her sister States and ask for an expression of their opinion, and urged that a committee of conference and correspondence be appointed by each State to secure the concurrence of the "co-States" "in declaring these acts void and of no force, and each to take measures of its own for providing that neither these acts, nor any other of the general Government, not plainly and intentionally authorized by the Constitution, shall be exercised within their respec-

tive territories." The ninth bade this committee correspond with like bodies in the co-States and report at the next session of the Legislature.

These resolutions, in time, were moved in the Kentucky Legislature. But the language of the eighth and ninth was bolder and more defiant than even the nullifiers were ready to accept. The ninth of Jefferson's set was therefore dropped and a new one put in after the seventh, bidding the senators and representatives of the Commonwealth lay the resolutions before Congress and strive for a repeal of the laws; the eighth, softened, expanded, and filled with foolish declamation, then became the ninth and the longest of those of Kentucky.

On the fourteenth of November they passed.* Almost at the same time Jefferson sent off a copy to Madison, for use in the Legislature of Virginia. Madison took the hint, rewrote the resolutions, and gave them to one John Taylor to bring in. They declared that the Constitution was a compact to which the States were parties; that they granted but limited powers of government; that, when powers not granted by the compact were exercised by the Government, the States had the right, nay, were bound, to interpose, stop the progress of the evil, and preserve their authorities, rights, and liberties; that the Alien and Sedition Laws were palpable and dangerous violations of the Constitution; that when Virginia ratified the Constitution she plainly asserted that liberty of conscience and freedom of the press could not be cancelled or abridged, modified or restrained, by the United States; had recommended an amendment to that effect, had seen that amendment adopted, and would not now be indifferent to wanton violation of the one, and the setting up of a precedent dangerous to the others; and that she pronounced the Alien and Sedition Laws unconstitutional, and was confident her sister States would do the same. The Governor was then instructed to send copies of the resolutions to her delegates and senators in Congress, and to the Legislatures of the fifteen States.† The minority dissented, and justified their views in

* The nays were first resolution, one; ninth, three; each of the others, two.

† Introduced December 21, 1798. Passed December 24th. In the House: ayes, 100; nays, 63. In the Senate: ayes, 14; nays, 3.

a long address to the people of Virginia;* but Madison defended the resolution in as fine an address as he knew how to write, a defence which, with the resolution, went out to the States in January, 1799. Two months before this, George Nicholas had performed a like service for the resolutions of Kentucky.†

The publication of the Kentucky resolutions in December was instantly followed by a new crop of remonstrances and petitions from the people. County politicians and liberty-pole orators, citizens who had once been aliens, aliens who could not yet be citizens, good men who honestly believed that liberty was in danger, bad men enraged that licentiousness was restrained, tricksters hungry for place, all joined in one renewed shout of condemnation. To such the work of Mr. Jefferson was a storehouse of argument and fact, upon which they made hot haste to draw. Few went so far as to affirm his doctrine of nullification, but his constitutional objections were taken up and asserted over and over again. Memorials by scores came in from each State, and the signatures appended to some were as many as sixteen hundred.

Those from Pennsylvania alone bore over eighteen thousand names. But the names were not in every case peaceably and fairly obtained. One petition, while preparing in Philadelphia, bred a riot. On a certain Friday in February an Irish Presbyterian minister and some Catholic priests decided to frame a decent remonstrance against the Alien Bill, have it signed, and sent to Congress. But they soon learned that the House had made the consideration of such petition the order of the day for the following Monday, and prepared it at once. On Saturday it was printed, passed about, and some signatures affixed. But the Irishmen were widely scattered, time was precious, and, as they would all be at church on Sunday, it was

* See The Address of the Minority in the Virginia Legislature to the People of that State; containing a Vindication of the Constitutionality of the Alien and Sedition Laws.

† A letter from George Nicholas, of Kentucky, to his friend in Virginia, justifying the conduct of the citizens of Kentucky as to some of the late measures of the general Government; and correcting certain false statements which have been made in the different States of the views and actions of the people of Kentucky. November 10, 1798.

thought best to wait and have the signing done there. On Sunday morning, therefore, as the people came flocking to St. Mary's Church, they noticed small handbills fastened to the gate-posts and on the walls beside the door. Natives of Ireland were asked to wait in the yard after service and sign. Some, who thought such action would be a desecration of the Sabbath, tore the bills down. But they were as often replaced; whereupon a young Irishman, losing patience, complained to the priest. The sermon finished, the priest had gone to the sacristy to take off his surplice. Had he known it before entering the pulpit he would, he said, have forbidden such a proceeding. As it was, the best that could be done was to hasten to some men of influence in the church and beg them, in the priest's name, to have the signing prevented. They did so, but not till a disturbance arose, till a pistol had been drawn, till one of the carriers of the paper had been knocked down and beaten, and the petitioners arrested and held in heavy bail.*

Such memorials as reached the House were sent to a committee, who, late in February, reported. Many of the petitions, they said, were full of invectives against the policy of the Government. Others contained insinuations insulting to the President, Congress, and the Cabinet. Yet they had gone over the documents carefully and, they trusted, impartially, and had found that in each the constitutionality of the Alien and Sedition Bills was impeached. These acts were not constitutional, because Congress had no power to pass laws for removing aliens, for abolishing trial by jury, for hindering the liberty of the press. One section of the first article of the Constitution declares "the migration or importation of such persons as any of the States shall think proper to admit shall not be prohibited by the Congress prior to the year 1808." This argument, they thought, was absurd, for three reasons. Every man in his senses knew that this article was enacted for the sole purpose of preventing Congress stopping the importation of slaves. It never was intended to, nay, it did not, apply to emigrants in general.

* A Report of the Extraordinary Transaction which took place at Philadelphia, in February, 1799, in consequence of a Memorial from Certain Citizens of Ireland to Congress, praying a Repeal of the Alien Bill, 1799.

But, even if it did, to prevent emigration in general was one thing; to send off, after arrival, emigrants who were dangerous to the peace and safety of the country, was quite another thing. The same construction which would deny to Congress this right would lead to the denial of a yet more important right: that of driving from the soil a band of men who, with arms in their hands, had come to invade it. Again, if the Constitution has given to the States no power to remove aliens, then they cannot, even in war-time, send dangerous foreigners away, though they be natives of the country then waging the war.

The Alien Law was held to be illegal for a second reason: it gave the President the power to send off aliens on suspicion and without a jury-trial. The Constitution provided that every criminal brought to justice, unless impeached, should be tried by judge and jury. In answering this piece of reasoning the committee reminded the House that the Constitution was made for citizens, not for aliens; that they had no rights under it; that they merely lived in the country and enjoyed the benefit of its laws, not as a right, but as a favor, and that this favor could be recalled at will; that the provision for jury-trial applied to men guilty of crimes, that an alien could be removed without committing any crime, and that his removal, however inconvenient to him, was in no sense a punishment for crime. He was so treated from policy or motives of general safety.

The Sedition Act was directed against two kinds of offences: seditious acts, and libellous and seditious writings. The provisions for the punishment of seditious acts, the committee reported, had not been complained of. It was flatly denied, however, that Congress could legally pass an act for the punishment of libels. No such power was expressly given, and powers not expressly given were reserved by the States. This, in plain language, meant, the committee said, that Congress had power to punish sedition, yet had not power to prevent sedition by punishing those acts which led directly to it. The duty of the Government, in the opinion of the petitioners, was to be quiet while the press teemed with false, scandalous, and malicious writings, making it odious in the eyes of the people, inciting men to resist its laws, and form seditious com-

binations to break them down. When sedition had openly appeared, and not till then, could the Congress legally act. The statement of the argument was its own refutation.

The Sedition Law, it was further claimed, abridged the liberty of the press, and was therefore unconstitutional. To this it was answered that the cry, "Liberty of the press! Liberty of the press!" was much abused. The doctrine that the liberty of the press was a license for one man to print what he pleased about another without being held responsible, was as false as it was pernicious. Would any one hold that liberty of action justified a man in going by violence into a neighbor's house, or beating and shamefully using the people he might meet on the street? Would any one hold that liberty of speech justified one man in speaking maliciously of another? He could do so if he chose. But would he not deserve to be speedily and condignly punished? In like manner liberty of the press meant leave to publish what one pleased, being answerable for any harm done thereby to men or to the public.*

The report closed with three resolutions, and these were: that it was not in the interest of the public good to repeal either the Alien Law, or the Sedition Law, or any of the laws respecting the army, the navy, or the revenue of the United States. On the twenty-fifth of February, the House being in Committee of the Whole, the three resolutions were taken up one by one. Gallatin spoke long and well against the first; but it was carried. Mr. Nicholas spoke at greater length against agreeing to the second. But the Federalists had made up their minds to accept the report, and, as Nicholas went on, treated him with great disrespect. They assembled in groups about the House, laughed, coughed, and talked at the top of their voices; nor would the Speaker command order in the room. When Nicholas finished, shouts of "Question! Question!" rose from all sides. A member from North Carolina hoped the question would not be taken. The hour was late. Other

* The Proceedings of the House of Representatives of the United States with Respect to the Petitions praying for a Repeal of the Alien and Sedition Laws, including the Report of a Select Committee, and the Speeches of Messrs. Gallatin and Nicholas thereon, 1799.

members had something to say. An hour or two on the morrow might well be spent in discussion. He moved the committee should rise. Mr. Bayard, of Delaware, hoped the committee would sit, and the question be taken. The subject had been exhausted by essays, speeches, and debates. He did not believe that gentlemen on the floor of Congress wanted to hear anything more on the matter. Mr. Livingston hoped they would hear more, and spoke for some minutes. The Speaker then said he lamented that gentlemen from North Carolina and New York should consume time in arguing in favor of being allowed to speak. The gentleman from New York ought to recollect that a vote had already been taken on the repeal of the Alien Bill, on the passing of which, a year before, the gentleman had spent all his bitterness and all his threats. If a like decision were made on the question of repealing the Sedition Law, the Speaker believed that both he and the member from New York would eat their dinner as comfortably and sleep just as well as if the question were determined in another way. Mr. Livingston declared the Speaker was mistaken. Let the question go in the affirmative, and neither he nor the country would sleep in quiet.

The motion to rise was lost,* the question on the second resolution was carried,† the question on the third resolution was carried, ‡ then the committee rose. The House then agreed to the action of the committee on each of the three resolutions.#

The Federal party was now at the height of its prosperity and power. It controlled the Senate. It controlled the House. Outwardly it was great and powerful, but within that dispute had begun which, in a few short months, drove Pickering and M'Henry from the Cabinet, split the party in twain, and gave to the country the strange spectacle of stanch and earnest Federalists wrangling and contending and overwhelming each other with abuse.

Adams came back to Philadelphia from Braintree in November, 1798. Congress was soon to assemble, and he began at once to prepare his speech. Many suggestions as to what

* 55 to 42. † 52 to 45. ‡ Without a division.

52 to 48 on the first and second resolutions; 61 ayes on the third.

he should say were made to him by the Cabinet, and among these was one touching the conduct of the Republic of France. The spirit with which the envoys rejected the demand for a tribute and a bribe, the promptness with which the administration made ready for war, had done much to render popular the Federal cause. This policy, the Cabinet thought, should still be pursued. Congress should be reminded that the peaceful offers of America had twice been rejected, and her Ministers twice dismissed by France; that self-respect made it necessary that the next overture should come from her; and that, should a French Minister be sent to the United States, he should be received in a becoming manner, and treated with in a sincere desire for peace. But Adams had a quick temper, and, when his temper was up, was stubborn and perverse in the extreme. He would hear nothing of such a thing, and declared, in substance, that should France send a Minister one day, he would order the man back the next. Then, resistance being removed, his temper cooled, and he rushed forward in the direction in which he had at first refused to go. Not only did he say all that he was asked to, but much more; and professed himself willing, on assurance of a proper reception, to even send a Minister to France. Wolcott, who prepared the draft of the speech, and Pickering and M'Henry, protested and begged him not to go so far. But he persisted, and the speech was made. Even as he spoke, a letter from William Vans Murray, the American Minister resident at the Hague, containing assurances from France, was on the sea.

Not long after Gerry sailed from Havre, Murray was surprised by a communication from the French Secretary of Legation at the Hague, M. Pichon. Murray was assured that France had a sincere desire for peace, that the envoys were very foolish to go away, and that were a new Minister sent out he would surely be received. Of this some reasonable doubt was expressed. M. Pichon thereupon produced a letter from Talleyrand. It was full of flattery of Murray, and complaints of the fickleness of Gerry, denied any wish of the Directory to revolutionize the United States, declared France wished for peace, not war, and explained a passage in the letter addressed by Talleyrand to Gerry when about to depart. France, it was

there stated, would treat with any envoy "who should unite Gerry's advantages." This was not an attempt to dictate an envoy. It was merely a friendly intimation that more confidence would be had in an envoy if he hated England and loved France. A hint was then given that Murray would do.

But a second letter to M. Pichon went further still. Any Minister, he was to assure Murray, any Minister the United States might send would be received "with the respect due to the representative of a free and independent nation." The words were those of Adams's speech. This the President thought was enough. He had been waiting for a promise from France, and the promise had come. But of the letter — and the promise the people knew nothing. When, therefore, early in February, 1799, the True American, the Aurora,* all the Republican newspapers at Philadelphia, declared that a message had gone to the Senate, that a new envoy to France had been recommended, and even gave the man's name, the Federalists flatly refused to believe one word. The members of the Cabinet treated the report as a new piece of Republican abuse, as an attempt to dictate to the President what he should do. The Federal newspapers maintained that the thing was impossible, that it could not be. Everybody, said one of them, must see that the rumor is idle, and false upon its face. The Executive has asserted, in his speeches, in his messages, in his answers to addresses, that justice is not to be expected from France. Nay, in the message to Congress on the twenty-first of June, did he not use language stronger still? Did he not say: "I will never send another Minister to France without assurances that he will be received, respected, and honored as the representative of a great, free, powerful, and independent nation"? After this promise, to suppose him capable of sending a Minister was to insult him.† But the Republicans maintained that the report was true, and it was.

Without a word to the Cabinet, Adams had prepared a message and sent it, with the nomination of Vans Murray and the second letter of Talleyrand to Pichon, to the Senate of the United States. The Senate, in amazement, referred the nomination to a committee. The committee made haste to expos-

* Aurora, February 19, 1799. † Porcupine's Gazette, February 20, 1799.

tulate with Adams on his course. But he would not be moved. The committee told him they would report against the mission. He thereupon, in a second message, named three men to be Envoys Extraordinary and Ministers Plenipotentiary to France. The men were William Vans Murray, Patrick Henry, and Oliver Ellsworth, Chief Justice of the United States.* Henry declined, and William Davie, Governor-elect of North Carolina, went in his stead.

While the senators were expostulating, Matthew Lyon appeared in the House. His fine paid, his time of imprisonment served out, he returned to Philadelphia to finish his term in Congress. But he was scarcely seated when a motion was made to turn him out. Bayard, who sat for Delaware, was the mover, and the language he used was that in which the indictment had been drawn. Matthew Lyon, having been convicted of being a notorious and seditious person, of a depraved mind, of a wicked and diabolical disposition, and of wickedly, deceitfully, and maliciously contriving to defame the Government of the United States, and John Adams, President thereof, ought to be expelled from the House. The Federalists were for taking the vote at once. But the friends of Lyon came to his rescue. Had the motion, one of them said, been a fair and candid statement of the case, he, for one, would gladly have an immediate vote. But the motion was not such a statement. The words were those of every indictment, were general, did not belong to Lyon's offence in particular, and the truth of them had never been inquired into during the trial. They were a mere form used to bring him into court. The argument had much force, and for two days no vote was taken. On the twenty-second, while the people were preparing to celebrate the birthday of Washington for the last time in his life, the vote was reached. The ayes were forty-nine and the nays forty-five. A two-thirds vote was necessary to expel; Lyon therefore kept his seat, and was entertained at a great dinner, where toasts were drunk to Logan, Barlow, Gerry, and Monroe.

The term of the member from Vermont was a short one; for on Sunday, the third of March, the third session of the

* February 25, 1799.

fifth Congress came to a close. Fifty bills in all had been passed. But the few that were of great public interest did not number five. Some attention was drawn to the "Logan Act" for the punishment of just such offences as Dr. Logan had committed. Another kept on non-intercourse with France. Three more provided for the purchase of timber, for the establishment of dock-yards, and for the building of six ships of the line and six sloops of war. Every dollar spent on the navy was, the Federalists claimed, money well laid out. Every ship put in commission is, the Republicans complained, a step toward a standing navy, an evil as great on water as a standing army is on land. Let the faction go on, and we, too, in a few years, shall have captains as insolent as the captain of the Africa, and sailors as mutinous as those at the mouth of the Noire. Yes, said the Federalists, and victories like those at the mouth of the Nile. Our navy is indeed small. Yet it has already driven every picaroon vessel from our coast, and made our flag respected where before it was despised. The little navy which the Republicans so maligned was serving in four squadrons. Nine ships, under Commodore Barry, cruised along the Lesser Antilles from Taboga northward to the island of Martinique. Five more, under Commodore Truxtun, had their rendezvous at St. Kitts, and watched the ships that came from Guadaloupe. A third fleet closed the Windward Passage. A fourth was off Havana and the Cuban shore. The private armed vessels in commission were, it was boasted, as many as the days in the year.*

One of the five ships under Truxtun was the French corvette brought in by Decatur, which, refitted and renamed Retaliation, had been given to Captain Bainbridge to command. Her cruising ground was off the island of Guadaloupe, and there, one day in November, two French frigates bore down upon her, captured her, and took her into port a prize. But she was soon set free. Desforneaux had succeeded Victor Hugues as the French commander of the island, and Bainbridge, with the Retaliation and two ships full of captured seamen, was

* A report, made toward the close of 1798, gave the number of private armed ships as 365, the number of guns on them as 2,733, and the sailors manning them as 6,874.

sent back as a peace offering to the United States. Adams would not receive the ship, pronounced her a cartel, and she in turn went back to Guadaloupe full of sailors taken from French privateers.* Fortune now changed. Of the two frigates that captured the Retaliation, one sailed for Havre. The other became a prize. She was named L'Insurgente, was a taut frigate of forty guns, and the swiftest sailer the French navy could produce. And well it was for her that her speed was great, for, falling in with the United States frigate Constitution, she spread all sail and escaped, and, on Sunday, the tenth of February, was off St. Kitts. There the Constellation, flying Commodore Truxtun's pennant, gave her chase. In two hours the space between the ships had so much shortened that the fight began. In tonnage, guns, and seamen the pair were not ill matched. But the fire of the Constellation was slow and well directed, while the shots she received from L'Insurgente passed generally through her sails. When the battle had lasted one hour and a quarter, and sixty-seven killed and wounded sailors lay upon his deck, the French commander thought enough had been done for the honor of the tricolor, and drew down his flag.

News of the victory reached the United States in March, and was heard by the Federalists with extravagant joy. But one thing, they asserted, could have added to their delight, and that was that the renegade Barney had been in command, for L'Insurgente was one of the ships with which, two years before, he had behaved so insolently in Chesapeake bay. Even the Republicans affected to feel some pride in the triumph. The British faction, said they, have now, undoubtedly, brought the country into war with France. Since this must be, every patriot must surely see that there can be but one result, and that result is, perhaps, conquest, or at least defeat. This victory should, therefore, inspire the hope that the skill of our commodores and the valor of our tars may enable us to do much upon the sea, to obtain, it may be, an honorable peace, and avert that deep humiliation the Great Republic has never yet failed to inflict on her conquered foes. It is terrible to think, however, that, in the very moment of victory, a murder

* Spectator, March 20, 1799.

was committed on the Constellation's deck. A young officer plunged his sword through the body of a sailor. And for what? Did the wretched man desert his post? No. Did he disobey orders? No. Was he mutinous? No. He turned pale.* This, it seems, is a heinous crime in "our infant navy." Can there be a finer illustration of the insolence which accompanies military and naval command? The thought of being instrumental in causing the death of fellow-beings, the sickening sight of the mangled and bleeding remains of companions, may well blanch the cheek of the bravest man. But the penalty for this is death. Let every pale-face hasten to purchase rouge, and lay it on well, and give his cheeks a courageous hue, lest, when these officers step ashore, they run him through the body for looking as pale upon the land as poor Neale Harvey lately did on sea.*

Friends to Government could see nothing atrocious in the conduct of the third lieutenant of the ship. With seamen as with soldiers, they argued, discipline must be maintained. This is necessary in any navy. In an infant navy it is most imperative, and may be enforced by punishments which, in older navies, would be cruelly severe. The victory is a great one, and sorely needed, and whatever has helped to secure it is right. The taunts and insolence of the French have become unbearable. American seamen have been nicknamed "John Adams's jackasses." Victor Hugues has often been heard to say that he would fit out a twenty-gun ship to take the three American frigates, and a cock-boat to bring in the rest of the fleet.† Henceforth a different language will be heard. No man who is not a Jacobin and a hireling of the five-headed monster of France will ever speak the name of Truxton without feelings of joy and words of praise. The merchant, in particular, should be well pleased. For now the ruinous rates of underwriting will go down, and their ships again be safe on the Spanish main. And they were well pleased. Not a seaport along the whole New England coast but received the welcome news with rejoicings, and sent out snows or sloops to trade with the Antilles. At Boston the Federalists were most joyful, and gave vent to their feelings in a way quite their

* Aurora, March 16, 1799.

† Spectator, March 20, 1799.

own. They fixed upon the fourth Saturday in March for the celebration of the victory, and urged all true Federalists to be in State street at one o'clock on that day. There, when salutes had been fired from Copps Hill, from Fort Hill, from Liberty Square, and the armed ships in the harbor, they were, on a given signal, to join in three tremendous cheers for Truxtun, for the officers and crew of the Constellation, and for the successes of the "wooden walls of America."* Three such cheers had never before been given and have never since been heard in the streets of Boston.

The behavior of the officers of the navy was still a subject for reproach among Republicans, when new cause for complaint was given by the officers of the Pennsylvania militia. Early in January, 1799, the Federal Government had begun to assess the direct tax laid by Congress in July, 1798. The amount was two millions of dollars; the quota of Pennsylvania, two hundred and thirty-seven thousand, and the property taxed lands, houses, and negro slaves. In Pennsylvania there were but seventeen hundred slaves, and there the tax fell chiefly on houses and lands.† The value of land was found out in the usual way. But the worth of each house was determined by counting the number and measuring the size of the windows it contained. To those who knew the law this method of assessing seemed an easy and a good one. Those who were assessed, however, knew nothing of the law. Many a farmer gained his first information regarding it from the assessor, who, note-book and measure in hand, stood at his door to take the rates. After such a man beheld the official walk round his house, count every window, and carefully measure its size, no explanations, however lucid, no assurances, however solemn, could persuade him that he was not about to pay a tax on windows, which, with the single exception of the hearth-tax, was, to his mind, the most detestable that could be laid. Yet no serious opposition was made to the assessors till they reached the most eastern counties in the State. These lay between the mountains and the Delaware, and contained, in a political sense, the best-informed people in the State. Access to Philadelphia was

* Massachusetts Mercury, March 26, 1799. Columbian Centinel, March 23, 1799.

† The exact number of slaves was 1706.

easy. The Aurora circulated freely in each of them, and not one but contained some great town where, at least once a week, was printed a newspaper devoted to the Republican cause. They were strongly Republican, and the Republicans were fully determined that the direct tax should not be gathered. It was in vain that the judges and the assessors sought to explain the law. The people would not hear them, turned the court-room into a bedlam, and the tavern-meetings of the assessors into scenes of riot and strife. The official was jostled, struck, and called a "stampler" and a rogue; cries of Schlaget! Schlaget! raised; Adams and the Constitution damned, and Jefferson and liberty loudly cheered. When an assessor attempted to take the rates, the women railed at him, set the dogs on him, and threw down scalding water on his head as he attempted to measure the windows. The men threatened to shoot him in the legs. In despair, the officials went back to Quakertown, in Bucks county, where, on the fourth of March, a meeting of all concerned in rate-taking was held. No one was willing to go to the troubled district alone. They determined, therefore, to send three, and to begin the work of assessing at a small village near by. The farmers, when they heard this, were more angry than ever. The militia company gathered, and, increasing as it went, set off for Milford with all speed. But the assessors were not to be found. They were busy just without the town, and, having measured the windows of fifty houses, returned to the tavern to dine. As they sat at dinner, John Fries entered the room and forbade them to go on taking the rates.

John Fries was a farmer's son. He began life as a cooper's apprentice, joined the army, saw some service in the militia, went out with the troops to put down the Whiskey Insurrection, and was now travelling up and down the country as a vendue-crier, or auctioneer. No man in all his region was better known. The sight of him as, with his dog Whiskey at his feet, he stood upon the tail of a cart or the bottom of an upturned barrel ringing his bell, and calling, in a strange mixture of English and German, for a bid on an iron spoon or an ancient lamp, was familiar to the people of every town. The delight of the people was to attend vendues. To be able to call

by name each one of the crowd who heard him was the delight of every vendue-crier, and in this Fries seems to have been most expert. Keen, shrewd, glib of tongue, he held over those whose names and faces he remembered that kind of influence which comes by talk, and not by deed. He was just the man to foment a riot or head a mob, and he soon did both. No one was so loud as he in denouncing and misconstruing the object of the direct tax. He had sat in twenty taverns, and poured out, through the cloud of tobacco-smoke that filled the room, arguments which, to the boors who heard him, seemed conclusive, and not to be gainsaid. When, therefore, anger drove them to action, they, with one accord, bade Fries take the lead.

To his commands and threats, however, the assessors were deaf. They finished their dinner, and went on assessing till the sun set. Then, as they turned into a narrow lane to make the last measurements of the day, a great shout rose behind them. Fries and four companions were in hot pursuit. The officials escaped. But as they rode into Quakertown they found it in possession of the militia company and a mob. Two of the three assessors were taken.

While these things were going on in the county of Bucks, the United States Marshal was busy in the county of Lehigh serving warrants and making arrests. The State courts had attempted to deal with the offenders. But the officers who bore the subpœnas were mocked and driven away. The District Attorney thereupon applied to the Federal courts, warrants were issued, and, on the second of March, the Marshal reached Nazareth and began to make arrests. The prisoners were sent to Bethlehem.

The arrests made by the Marshal set the counties all aflame. No such excitement had been known in the region since the days when the Yankees and the Pennymites contended for the mastery of Wyoming. The winter was over. But the spring was cold, and hundreds of men who, a few weeks later, were busy ploughing and harrowing and sowing seed, were then in idleness, haunting taverns, and uttering threats against the stamplers and the tax. Hearing what was going on in Lehigh, they vowed openly that the captives should be set free. Run-

ners were sent out. Word was passed from man to man, and, early on the morning of March seventh, scores of men were on their way to the place of meeting. The rendezvous was a tavern on the Bethlehem road, not far from the spot on which whoever stands is at once in the four counties of Montgomery, Lehigh, Bucks, and Berks. Fries was quickly chosen leader, and the mob, accompanied by some militia, began the march for Bethlehem. As they neared the bridge across the Lehigh they came up with another band bent upon the same errand, joined forces and entered the town together. Some of the prisoners had been released on parole. The rest, guarded by the Marshal and a small posse, were shut up in a little room in the old Sun Tavern. The Marshal was commanded to set them free. The posse were warned that, if they made the least resistance, the town should be burned to the ground. Resistance was useless. A few moments sufficed for the rioters to mount the stairs, break open the door, and bring out the prisoners.

The Government grew alarmed, summoned the rioters to disperse, ordered the militia to be in readiness, and finally to march. As they entered the disaffected counties the officer in command issued an address. He explained the tax, the right of Congress under the Constitution to lay the tax, and told them, what many of them were amazed to hear, that they had been engaged in acts of treason and rebellion. A minister named Helmuth, who claimed to have some influence over the people, addressed them in an open letter. Then the arrests began. Parties of foot and horse scoured the country in search of every man who, by withstanding the assessors, or joining in the march to Bethlehem, had made himself conspicuous in the revolt.

Fries was the man most sought, and when found was mounted on a barrel, with a bell in one hand and an article of household furniture in the other, holding vendue. So intent was he on his business, and the crowd upon his jest and wit, that the troops were upon him before their approach was known. At the first cry of "The soldiers! the soldiers!" Fries leaped to the ground, fled away on foot to a neighboring swamp, and crouched down in the briers. He was taken, twice

tried for treason, and, with two others, sentenced to be hanged. Indeed, the Friday for the hanging was named, and the posse to assist the Sheriff was summoned, when a pardon from the President made Fries a free man.*

The return of the troops to their homes was quickly followed by shocking stories of their brutality and their disregard for law. The Reading Adler made the charges. The Aurora had them translated and spread far and wide. While the militia were hurrying into Northampton and Bucks, some troops of Lancaster horse halted at Reading to await orders to march. Discipline was lax. Party spirit was high, and the troopers amused themselves cutting down the "sedition-poles" which the farmers and innkeepers had put up. Hearing that a new one had been erected with great pomp at a neighboring village, some eight or nine soldiers, without orders and without leave, went to cut it down. They found the pole guarded, and wisely came back to camp. After the troops left Reading, the editor of the Adler denounced them in strong terms. They were cannibals. They were banditti. They had been seen whipping children and assaulting women with pistols and drawn swords. Indignant at this abuse, a dozen of militia on their return called on the editor and demanded to know the author's name. The editor owned that part of the article was his work. Thereupon he was seized, dragged to the market-place, and given six lashes on the back by the trumpeter.

This shameful act was promptly reported to the officer in command. The men, he thought, were clearly deserving of punishment. If, however, they were court-martialed and tried at the drum-head, the troops would be detained at Reading, and the State put to great cost. A civil trial would be cheaper. He commanded them to go before the county judge and give themselves up for trial. They obeyed, and were at once bailed out.

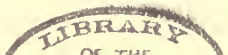
The story which the editor told was very different. The mamelukes, the janizaries, the scaffold-pole hewers, had, he protested, dragged him from his office to the market-place, sentenced him to receive twenty lashes on the bare back, and

* Benjamin Rush was to have been one of the posse, and his summons to attend is still preserved in the Rush Manuscripts at the Philadelphia Library.

had given six when some Philadelphia troops put an end to their sport.* Just as cruel was the treatment of the prisoners. Loaded with irons, they were driven like cattle over long distances by day, and huddled at night into barns and damp cellars. Their friends were denied them. Not only the comforts, but the necessaries of life were cut off. They lay on the wet ground. They ate bad food. Some had their wrists cut to the bone by the handcuffs. Handkerchiefs, which others put under their irons, were rudely torn away by the soldiers. One officer declared that he stopped at a smithy where the handcuffs were making, weighed a pair, and saw the beam tip at seventeen pounds. All these charges were denied. But each time they were denied a repetition was made in language more positive and abusive than before. The outrages had been committed, and the people must expect more of them. They were a sure way to Federal favor. The ruffian who beat down Mr. Bache on the deck of the frigate United States had been sent with a confidential message to a foreign court. The officers who commanded the mamelukes on their late expedition would undoubtedly expect speedy promotion.† Weary of this abuse, a number of the militiamen, one afternoon in May, waited on the editor of the Aurora. An apology was demanded. Mr. Duane refused. He was then seized, dragged down stairs, and flogged in the street.‡

The man who, when they had finished, rose from the gutter sore, dishevelled, and half mad with rage, deserves no mean place among the founders of the Republican party, for to him, more than to any other man then living, Thomas Jefferson owed his election to the Presidency. William Duane was a native American of Irish extraction, and was born not far from Lake Champlain, in New York. Before he was seven his father died, and his mother then brought him to Philadelphia, and finally to Clonmel, in Ireland, where she had herself lived when a girl. Narrow-minded and rich, possessed with the idea that idleness was honorable and work disgraceful, she suffered the boy to grow up in those ways in which many a fine lad has gone to ruin. But William was not to be spoiled, ac-

* Reading Adler, April 23, 1799.
† Aurora, May 15, 1799.
‡ Ibid., May 16, 1799.
# Ibid., May 13, 14, April 27, 30, 1799.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quired a fondness for books, read some, and dabbled, one after another, in a dozen trades, of which he liked watch-making best. At nineteen he married a Presbyterian against his mother's wish, and the foolish woman threw him off. For a while he earned a living setting type, and then departed for India to seek wealth, gained a competence, and, at Calcutta, established a newspaper which he called The World. Though Duane was born in America, his heart and his blood were Irish, and, being Irish, he felt toward Englishmen and English rule that implacable hatred which in Irish-Americans, even in the third generation, has not died away.

It was no more than natural, therefore, that he should soon be embroiled with Government, and Government at Calcutta was represented by the person of Sir John Shore. Macaulay has described Shore as "a man of whose integrity, humanity, and honor it is impossible to speak too highly." This praise may, in general, be deserved, but it is certain that toward Duane the conduct of Shore was in no wise honorable. Shore invited the editor to dinner, but, as Duane drew near the house, a band of sepoys seized him and hurried him to a merchantman, which, in a few hours, sailed for England. To a native of Bengal this act may seem admirable; but, for having planned it, Sir John ought to be forever infamous among men.

Once in England, Duane sought relief of the East India Company. The company sent him to Parliament, and Parliament sent him back to the company, for few Englishmen of that day cared what iniquity was done in India. An uncle advised him to study law, and he seems to have thought seriously of doing so, till he read a silly book called "The Quibbles of the Law," which disgusted him with the whole profession. His true calling was journalism, and to this he drifted back, becoming first Parliamentary reporter and then editor of the General Advertiser, a newspaper which still exists, and is now known all over the English-speaking world as the London Times. In 1795 Duane returned to America and became a contributor to the Aurora. Whenever Bache was sick or away, Duane acted as what would now be called editor. When Bache died, Duane managed the Aurora in the name of the heirs. Such was his occupation when, in May, 1799, a band

of militia, led on by the son of Judge Thomas M'Kean, beat him in the public street.

The beating became, in time, the subject of a long and bitter poem. An allusion in the verses to plots, "conspiracies, and tales of a tub," reminded the Federalists of some recent events of which they ought to have been ashamed.* During the month of February the Governor of South Carolina was informed by the Department of State that a conspiracy was on foot. Four persons had embarked from Hamburg, as agents of the Directory of France, armed with papers and dispatches hostile to the safety and welfare of the States. Their names were given, the vessel and their passports described, and the papers, it was stated, would be found hidden in the false bottoms of two tubs. As the ship was cleared for Charleston, the boarding officer of that port was bidden to give early notice of the arrival of every foreign craft. On the twenty-first of the month he announced the arrival of the Minerva, one hundred and nineteen days from Hamburg, with five passengers on board. She was the expected packet. The collector and the naval officer were soon on her deck, seized four men and a woman, found the tubs concealed in the cabin, knocked out the false bottoms, and carried off the documents they contained. Then the absurdity of the affair came out. The men were not conspirators, the woman was not a spy. The papers were not of the kind that come from Departments of State. The Republicans in exultation declared the tubs were trunks of clothing, and the papers *billets-doux;* that the woman was a French girl who had lost, in the company of the X., Y., Z. ambassadors, what she ought to have held most dear, and that she had induced the captain of the Minerva to bring her over to America to seek redress.†

So absurd an ending to so promising a plot should have made men careful. But it did not, and what seemed a new conspiracy was soon unearthed at Philadelphia. Toward the

* The lines were:

"Here we're humbugg'd with foreign alarms,
Conspiracies, tales of a tub, sirs,
While the volunteers swagger in arms,
And take from the unarmed their grub, sirs."

† Aurora, March 7, 1799.

close of April the Mayor was informed that a tailor on Spruce street was unusually busy. His shop was full of women, cutting and basting and sewing clothes, while great piles of what seemed to be uniforms lay about the floor. The tailor and his women were instantly arrested, the shop searched, and hundreds of suits of strange-looking coats and pants were seized.* The jackets were blue, the breeches had no buttons at the knees, and the calico shirts no collars at the neck. They were clearly for Frenchmen. The tailor confessed that a Frenchman had ordered them. Might he not be enlisting troops for a descent on Louisiana, or organizing an expedition like that proposed by Blount? Nay, could any man say he was not at the head of a desperate band sworn to burn and sack the city, or murder Mr. Adams if he carried the election of 1800? Providence had once more interposed to save the country from the power of the all-destroying monster. But not a day, not an hour, not a moment, should be lost in pursuing the only measure which a regard for self-preservation admits. The President should instantly be asked to put into force that law which provides for the punishment of the injuries aliens do the people of the United States.† Ten of the conspirators were hurried to the jail. A search for the French agent began. When arrested, he drew from a pocket an order to procure the uniforms, signed by Toussaint, and countersigned by the late Consul-General of the United States. The mysterious jackets, shirts, and pants were to clothe the negro soldiers in the army of Toussaint L'Ouverture.

This plot exploded, the Federalists soon gave a new reason for fearing and hating the French. The ship Ocean, they declared, had been captured and every soul on board put to death.‡ No such massacre took place. Yet the story was firmly believed, and cited in half the Fast-Day sermons of the year as one of a long list of infamous deeds done by the French. No man who preached on the twenty-fifth of April could have been more positive in his assertion than Jedidiah Morse, and any assertion Dr. Morse chose to make was sure to be generally accepted. He was pastor of a church at Charlestown,

* Aurora, April 30, 1799.

† May 1, 1799.

‡ Independent Chronicle, May 2, 1799.

Massachusetts, had acquired renown as a writer of books, and is now chiefly remembered as the father of the man who, in our own time, brought the telegraph into use. The subject of his sermon was the present dangers and consequent duties of the citizens of the United States, and no dangers seemed so near and dreadful to him as those arising from the machinations of the French. A year before, on a like occasion, he hinted from the pulpit that secret societies, set up by Frenchmen and holding principles ruinous to religion, had long existed in the United States.* He now assured his congregation that he held in his hand the proof of their existence. So complete was his information that he could give the names, the ages, the places of birth of a hundred members of a Society of Illuminati, or Illuminers, founded in Virginia by the Grand Orient of France. Another was in New York. Fourteen more were scattered over the United States. Having despoiled, imprisoned, and banished the clergy of France, these men were attempting to despoil, imprison, and banish the clergy of America. And why? What had the ministers done? They had dared to meddle in politics. The preacher then held up to his congregation the evils that would speedily come upon the country if the ministry were overthrown.†

The sermon was thought an excellent one, and immediately came out in print. At the end was an array of French and English documents written in a strange jargon, and adorned with huge seals made up of columns, cross-bones, and skulls. The appearance of so unusual a pamphlet was noticed at once. Every man who dreaded the French, who supported the Government, who looked up with respect to Jedediah Morse, or felt a superstitious dread at the sight of cross-bones and skulls, now pronounced the evidence of the existence of the Illuminati to be complete. The Republicans received the pamphlet with

* Dr. Dwight, in his fourth of July oration, 1798, made a more positive statement still. "Illuminism," said he, "exists in this country, and the impious mockery of the Sacramental Supper, described by Mr. Robinson, has been acted here." Mr. Robinson's description may be found in Proofs of a Conspiracy, pp. 137, 138, Philadelphia edition.

† A Sermon, exhibiting the Present Dangers and Consequent Duties of the Citizens of the United States of America, delivered at Charlestown, April 25, 1799, the day of National Fast. Jedidiah Morse.

derision. The sermon, they declared, was another Federal alarm-bell. Tubs, tailors, and ocean massacres had been tried and failed. The shout was now, Illuminati! This time the French were surely coming. Nay, they were here, and were about to cut off every Christian's head, turn the Old South into a riding-school, set Charlestown meeting-house on fire, and, if the Old North were rebuilt, reduce it to firewood. This done, the clergy were to be turned out, Nebuchadnezzar-like, to graze.* The most serious reply was a long countercharge that the ministry itself was Illuminated.†

A statement, wrote the pamphleteer, has been made that there are amongst us societies bent upon the ruin of government and religion in the United States. The charge is true. They exist in New England. But the members are not Frenchmen; they are divines. Under the name of ministers' meetings these clubs are well known to every one. But the work they do is so like that done by the societies in Europe that their name should be the New England Illuminati. Bellamy and Goodrich and Williams formed them while the States were still colonies under English rule. At the bidding of these men the clergy formed clubs; the clubs met monthly in the various parishes to which their members belonged, ate fine dinners, made long prayers, discussed politics, and delivered orations on the affairs of state. The cause of their formation was the Quebec Bill securing toleration in Canada, and the petition of the Episcopalians that a Bishop might be sent to preside over the colonial church. But they were foiled. The Episcopalians in good time secured a Bishop. The Constitution gave toleration to all men. Then, for a while, the Illuminated New England clubs languished. The French Revolution aroused them to increased activity. The sermons, the prayers, the letters, the talk of members, favored French affairs. The colleges were taken into the confidence of the Illuminati, and teachers and pupils were soon proclaiming French principles over the

* Aurora, June 5, 1799. Independent Chronicle.

† A VIEW of the New England Illuminati, who are indefatigably engaged in destroying the Religion and Government of the United States, under a feigned Regard for their Safety, and under an impious Abuse of True Religion. Philadelphia, 1799.

whole land. They were not sincere. Never for a moment did they honestly uphold the Rights of Man. Power and influence were all they wanted. And having gained power and influence, the Illuminati threw aside the mask and stood forth as of old. One by one the ministers owned they were ashamed of their late doings. French politics were attacked. The rights of man were attacked, liberty of thought and speech were attacked, and the country made to resound with alarms. They would have no education save such as they gave. Immediately an attempt was made to frustrate the law giving the proceeds of land sales to schools. They would have no political opinions save such as they approved. Immediately a sedition law was passed. These were the men the country had to fear; not a French harlot with her tubs, and a Philadelphia tailor with his French soldier-clothes. In New England were the true Illuminati, destroying the principles of free government, and overturning the altars of every church but their own.

To hide this purpose, the British faction raised the clamor about plots, clews, conspiracies, and French Illuminati. All this was to divert public attention. And while public attention was fixed on the phantom emissaries of France, the number of real British emissaries was daily increasing. Has not, it was asked, has not a new political Porcupine, under the name of Anthony Pasquin, set up a newspaper at New York? Has not a new British Envoy Extraordinary been sent over to help Mr. Liston destroy the peace and happiness of the United States? The administration is prostrate at the feet of the most stupid and imbecile of British kings. The people are told that unless they keep up a standing army and a standing navy, pay local taxes, and roll up a huge debt, the French will surely overrun the land. There will be enacted all the imaginary horrors described in "The Cannibal's Progress" and "The Bloody Buoy." Do we hear anything of what the British did when they overran the land? Of the burning of New London, of the prison-ships in New York bay? Of the brutality of the Hessians at Hopewell and Maidenhead? How they beat men and assaulted women, and destroyed property, and sacked the church at Pennington, in New Jersey, breaking up the marble communion-table, and turning the pulpit into a

necessary?* Nothing is said of all these things because they are of British origin. Any mention of them would offend the British Minister, and he would decline to assist the man Timothy in the management of American affairs. Then the hireling printers of Federalism would get no more British gold.

Nor are the printers the only men who would lose their pay. Our naval officers are likely soon to become pensioners on the British nation. Twenty-one hundred pounds, we are told, have been raised in a London coffee-house; they are to be given to Commodore Truxtun for the service he did in running down and capturing the frigate of a nation with which we are at peace. The Constitution forbids any officer of the United States accepting a present from a foreign State. But, now that the United States have become part of the British Empire, the bribe will undoubtedly be taken. Before the summer was over the charge of British influence and bribery was made against Thomas Bee, judge of the District Court of South Carolina.

Toward the middle of February, 1799, the schooner Tanner's Delight arrived at the harbor of Charleston, South Carolina. She had not been many days in port when, at the request of the British Consul, one of the crew was seized and hurried to the jail. He was accused of being Thomas Nash, a British subject, and a member of the crew which, two years before, mutinied on the deck of the frigate Hermione. The mutiny took place on the twenty-second of September, 1797. The officers were massacred. The frigate was captured, brought to a Spanish port, and sold by the crew. In due time a demand was made for the surrender of Nash in accordance with the treaty of Amity, Commerce, and Navigation made by Mr. Jay. The arrest and demand were grounded on the affidavits of two men. One, a sailor before the mast, swore upon the Holy Evangelists that the man called Nash came out on the Tanner's Delight, had been heard at St. Domingo to own he was the boatswain's mate of the Hermione, and when deep in his cups to exclaim, "Bad luck to her!" and clinch his fists.

The other, a lieutenant who had been a midshipman on the Hermione, swore that the prisoner was indeed Thomas Nash.

* Aurora, June 8 and 20, 1799.

The prisoner swore that he was not, claimed to be Jonathan Robbins, of Danbury, in Connecticut, declared he had never changed his allegiance, but had been pressed from the deck of the brig Betsy by the crew of the Hermione. On the frigate he had been kept against his will till the crew rose, captured the vessel, and took her to the Spanish port. In evidence of citizenship, he produced one of those sworn papers which in 1795 American sailors were accustomed to carry with them as proof that they were not subjects of King George.

The Court ruled that the man was not Jonathan Robbins, but Thomas Nash. He was surrendered to the British, tried by court-martial, convicted, and hanged. At the last moment of his life Nash followed the custom of the criminals of his time, made a confession, and owned that Ireland was his native soil.

That any honest Republican who saw him, who heard his brogue, or was capable of forming an unbiased opinion on the evidence submitted to the Court, ever thought him other than an Irishman, is impossible to believe. But whether the man was really Robbins or really Nash, the leaders and workers of the Republican party cared nothing. He claimed to be an American citizen. The Court gave him up to Great Britain, and such an opening for attack on the Duke of Braintree and his British-paid hirelings was not to be thrown away. Poor Robbins, said they, is no more. In vain he pleaded that he was a citizen of the United States. Ill-fated man, to be born in America! Had he been a Swede, or a Dane, or a Prussian, or even a barbarous Russian, he would not have been pressed.* To men of republican principles his tragic end is peculiarly distressing. The simple assertions of a set of British bullies have been believed rather than the solemn oath of the injured sailor. The man who does not feel indignant at the fate of Robbins is a fit instrument for the hands of any great villain anxious to destroy the liberty of his country. He is fit to be an assassin. He is fit to be a helot. Yet there are such men. These things cannot be too deeply considered. If British oaths and British money can make American judges deliver a fellow-citizen to the fangs of tyrants, they can do anything.

* Aurora, October, 1799.

The fate of Robbins to-day may be any man's to-morrow.* Before many days the name of Isaac Williams was coupled with that of Robbins as another victim of Federal tyranny.

Williams had been a privateersman. When the country was in a ferment over the proclamation of neutrality and the proceedings of Genet, Williams had professed great sympathy for France. Like scores of others, he took out papers of French naturalization, armed a ship, and began to make war on every vessel that came in his way. His plunderings made him rich, and his riches he brought to his native State, Connecticut, that he might there enjoy them. But his deeds were too well known. He was arrested and tried at Hartford. Oliver Ellsworth was on the bench, and told the jury that Williams, despite French naturalization papers, was still a citizen of the United States, and still subject to its laws. No man, by his own will, could throw off the allegiance which he owed to the land wherein he was born. The jury pronounced Williams guilty of a violation of the treaty with England. The Court fined him and sent him to jail.

The news of Isaac Williams's punishment reached Philadelphia too late to have any influence on the election to which all Republicans looked forward with great concern. For every one knew that, whichever party carried Pennsylvania in the autumn of 1799, that party would again carry the State in the autumn of 1800.

A Governor was to be chosen. Mifflin, who the Federalists declared had lost the use of half his faculties by age and half by drink, had served three terms, and could not, by the Constitution of the State, serve again. The Republicans, therefore. nominated Thomas McKean. The Federalists put up James Ross.

The election was held on the eighth of October, and, when the polls closed, Thomas McKean had carried the State. The campaign had been bitter and personal, and his followers determined to celebrate their success in a fitting way. What they called Republican festivals became the fashion of the hour, and in scores of towns cool October afternoons were set apart for Republican rejoicing. On them labor ceased, and

* Aurora, October, 1799.

the men who had cast their votes for Governor McKean went out to the fields to put up a liberty-pole, to listen to orations on the beauty of liberty, and drink toasts to the memory of Benjamin Franklin and Benjamin Franklin Bache; to the Sovereignty of the People; to Jonathan Robbins, the martyr, and Thomas Jefferson, the people's friend; to the heroes who tamed the old British lion; to the wish that asses' ears and black cockades might soon be synonymous terms, and that more intelligence might be given to those to whom a Democrat and a disorganizer were one and the same.* In a few towns, after nightfall, bands of men paraded the streets with candles in their hands.

The eighth of October was in many ways an evil day for the Federal cause. Adams, on his way from Braintree, had reached Trenton on the tenth. There he waited with some anxiety, as the returns of the election came slowly in. By the twelfth all doubt was gone. He at once summoned his Cabinet to meet him on the evening of the fifteenth. Ever since the Senate confirmed the new envoys to France the instructions to be given them and the time for their departure had been under consideration. The President had solemnly promised that, till France gave assurance she would receive them, they should not leave the United States. In August the assurance came, and the Secretary of State was bidden to make ready the instructions at once. When nearly ready, France was in confusion. Her troops had been driven from Italy. The Archduke had triumphed on the Rhine. Of the old Directory not one remained in office save Barras. The Cabinet now insisted that the mission should be delayed. The pledges of Talleyrand were not to be trusted. The honor of the country did not permit of a mission while the infamous French decrees against American commerce remained in force. It might even come to pass that the next packet from Bordeaux would bring the news that the Bourbons were again upon the throne. But what concerned Adams most was the effect the mission would have on politics at home. The ballad-writing, the addressing, the black cockades, the bands of "associated youth," the offers of ships, and men and arms, for which the summer of 1798 is forever

* Aurora, November 26, 29, 30; December 5, 9, 12, 1799.

memorable in our annals, had made the Federalists arrogant and defiant. They were ready to resent most strongly the insolence of the French Republic, and, if need be, go to war. Adams, however, well knew that every outburst of popular passion is quickly cooled, and that, whatever at such times becomes the object of men's affection is sure a little later to become the object of their hate. Already thousands of men who, when the Federalists were triumphant, cursed France and shouted "Hail, Columbia" in the theatre, had, since the Alien Law and the Sedition Law, since the bold resolutions of Kentucky and Virginia, and the open insurrection of John Fries, plucked up courage and gone back to the Republican side; The Pennsylvania election showed this defection to have been great; and, in hope of stopping it, the President determined that the mission the Republicans had so long demanded should now depart.

Toward midnight of the fifteenth of October the secretaries left him. They had then agreed upon the instructions for the envoys, but as to the time of departure nothing was said. The time Adams chose without their help, and, when morning came, surprised the Secretary of State with a notice that the envoys were to hasten to Newport, board the frigate there awaiting them, and go at once to France.

That so grave a decision should be made, and the Cabinet not consulted, was to the mind of Pickering a slight not to be endured. Wolcott and M'Henry shared the feeling, and, though they kept their places, all confidence between the President and his secretaries ceased. Their huff did them small credit. The President was in no sense bound to consult them. They were his secretaries, and nothing but his secretaries, and, in seeking to assume the rights and duties of Cabinet officers, they were foolishly striving for positions it was never intended they should fill. Under our form of Government there is not, most happily and most wisely, any place for so worthless a piece of political machinery as a Cabinet; the President has no constitutional advisers, no men whose advice he is, under any circumstances, required to ask and take, save the senators of the United States. Had Adams consulted Pickering, Wolcott, and M'Henry, he would, in real-

ity, have been consulting Alexander Hamilton; for the general, by a fortunate accident, was also present at Trenton. He came, he explained, to consult with the Secretary of War on the future disposition of the western army, and for no other purpose, a statement unquestionably true. But it is equally true that, had the President gathered his secretaries about him and asked, Shall the envoys go or stay? the secretaries would have gone straightway to confer with Hamilton, and would in their decision have been guided by their great leader's advice. Now, Adams detested Hamilton, was sure the general had come to Trenton to manage the secretaries, and, angry at what seemed a deliberate attempt to thwart him, he took counsel of no one, and both the envoys departed. Rumors of the quarrel were soon whispered abroad, but outwardly all was peace, and the indignant officials, as was their custom, furnished information and suggestions to the President in the preparation of his speech to the sixth Congress.

On the roll of the House appeared the names of many new members, for some who had seats in the last House had been sent to the Senate, and some had not been returned at all. Of the new men, three in time rose to note. William Henry Harrison sat for the territory northwest of the river Ohio. From Virginia came John Marshall and John Randolph of Roanoke. Before the third month of the session each, in his own way, became the object of popular attention.

The business of answering the President's speech was at once given to Marshall. The speech, in the opinion of the Republican scribblers, was a poor affair. Only one grammatical error was to be found in it, and that, they said, made the document a political curiosity. Except as a curiosity it had neither interest nor value. The allusions to the trouble in Pennsylvania, to the renewal of trade with St. Domingo, to the quarrel of the commissioners under Jay's treaty, and to the state to which the judiciary system had brought the country, were pronounced, guarded, studied, pruned. Did the people need John Adams to tell them that "neither are the laws properly executed, nor are individuals sufficiently assured from oppression"? Did the President think the people knew nothing of the cases of Williams and Robbins? Nor did the Federalists

find it possible to give the speech more than a cold approval. One who well knew the temper of his party and the feeling of the House declared that, in answering it, Mr. Marshall had a hard task to perform. Some few Federalists believed that in sending the new French mission the President had done well. These men were looked on as half-Jacobins waiting for a good opportunity to rat. The great body of the Federalists admitted that Mr. Adams had made a grave mistake. The Republicans to a man thought the mission a good thing, and only hoped it might not be too late. Mr. Marshall's work was to frame some answer which should please all. As a consequence he pleased none. The House, however, passed it, and went sullenly after the Speaker to present it to the President at his home.

And now the House began to prepare for work. The Speaker had named all the standing committees. A great number of private memorials and petitions had been presented. The late members had almost all come straggling in, when, one morning after roll-call, Marshall rose in his place and announced to the Speaker that the report which spread through the city the evening before was true. George Washington was dead. The great man had been ailing but a few days. A ride in the wet brought on an inflammation of the windpipe, and a disorder which would now be called œdema. The custom has ever been that each generation of physicians holds its own theory of diseases, and has its own sovereign cure. Bad blood was then believed to be the cause of most maladies, and bleeding a sure cure. This remedy was vigorously applied to Washington, and the patient was speedily bled to death. He died in his sixty-eighth year, and in the heyday of his glory and his fame. Time has since dealt gently with his memory, and he has come down to us as the greatest of all leaders and the most immaculate of all men. No other face is so familiar to us. His name is written all over the map of our country. We have made of his birthday a national feast. The outlines of his biography are known to every school-boy in the land. Yet his true biography is still to be prepared. General Washington is known to us, and President Washington. But George Washington is an unknown man. When at last he is

set before us in his habit as he lived, we shall read less of the cherry-tree and more of the man. Naught surely that is heroic will be omitted, but side by side with what is heroic will appear much that is commonplace. We shall behold the great commander repairing defeat with marvellous celerity, healing the dissensions of his officers, and calming the passions of his mutinous troops. But we shall also hear his oaths, and see him in those terrible outbursts of passion to which Mr. Jefferson has alluded, and one of which Mr. Lear has described. We shall see him refusing to be paid for his services by Congress, yet exacting from the family of the poor mason the shilling that was his due. We shall know him as the cold and forbidding character with whom no fellow-man ever ventured to live on close and familiar terms. We shall respect and honor him for being, not the greatest of generals, not the wisest of statesmen, not the most saintly of his race, but a man with many human frailties and much common sense, who rose in the fullness of time to be the political deliverer of our country.

Marshall no sooner announced the late President's death than he presented a series of resolutions, which the House at once adopted, and adjourned. The resolutions were speedily forgotten. But a phrase in one of them passed into the memory of the people, and is still often quoted. The House, it was agreed, should condole with the President on the mournful event; that the Speaker's chair should be draped with mourning; that the members should put on black; and that a committee should consider the most fitting manner of doing honor to the memory of the man who was, in the language of Henry Lee, "first in war, first in peace, first in the hearts of his countrymen." Mrs. Adams put off her drawing-room for one week, and bade all who then attended come in black and white. On the Sunday following, the virtues of the great man served in innumerable pulpits as a common text. For many days the Federal newspapers came out with black borders and inverted column-rules, and continued during two years to make the death of Washington a subject for atrocious elegies and odes. But it was observed that no Republican journal did more than put a small black border round the notice of his death.

Meanwhile the evil tidings spread far and wide. They were known at New York by the nineteenth, and reached Boston as the people were about to celebrate "Forefathers' Day." To stop the festivities was thought impossible, as numbers of guests and strangers were in a few hours to gather about the table, at the head of which a huge shell of succotash had been placed. Some lines in the ode, however, were changed, and the day passed less hilariously than was wont,* for the public sorrow was great. Shops and offices were shut. The museum was closed. In the theatre no performance took place. The bells tolled dismally all day long.† In countless towns and hamlets funeral processions and memorial services bore testimony that the mourning was universal and sincere. At Philadelphia, Congress voted a monument, invited every American to put on a badge of crape, and went in procession to the German Lutheran Church to hear an oration pronounced by Henry Lee. Long afterward, when the news reached Torbay, the British ships there anchored drew down their flags to half-mast.

While the people were preparing their badges, and hanging their dwellings with black, the House and the Senate came back to their work. The general of the army having expired, the Republicans determined to abolish the office, and with it the army he was appointed to command. On the first day of the new year, therefore, a resolution, that so much of the acts of 1798 and 1799 ‡ as authorized the enlisting of the new regiments and the appointment of the new generals should be repealed, was laid on the table, soon to be called up. But, while the resolution lay there, a fierce debate on the evils of slavery took place. Some free blacks at Philadelphia had presented a respectful and humane petition. They prayed for a revision of the laws concerning the slave-trade, of the laws concerning fugitives from justice, and for such measures as should in time emancipate their brethren held in slavery. They reminded the House that great abuses had grown up under the fugitive slave law of 1793. All along the borders of Maryland and Delaware the kidnappers were busy. Free negroes were

* Massachusetts Mercury, December 27, 1799.

† Ibid., December 24, 1799.

‡ July 16, 1798, March 3, 1799.

seized, torn from their families, hurried into holes and cellars, transported to Georgia, and there put up for sale.

The motion was made to refer the paper to the committee on the slave-trade with foreign parts. This was thought to be highly improper. The prayer ought not to be entertained for a moment. The matter had often been before the House. When Congress sat at New York, a great deal of time was given to it. The decision then was that nothing could be done. Yet the petitions, a member complained, continue to come. They are no longer from the hands of the white gentlemen in Congress. Black gentlemen out of doors now presented them. These men tell us that seven hundred thousand negroes are in slavery. Thank God that they are. Were they free, the scenes of St. Domingo would speedily be familiar to us all. Too much of the new-fangled French philosophy of liberty and equality has already found its way among the blacks of the South.* Gentlemen of the North would do well to have a care how they encouraged slaves to come and live among them as vagabonds and thieves. The laws complained of should be repealed, not amended. Do we not want money? Do we not want a navy? Then we should do what we can to get money for a navy. Why shall Great Britain have all the slave-trade and we none of it? The slaves will come all the same.† This petition is but an entering-wedge to an inevitable loss of property. Have we forgotten the experience of France? Three emissaries, we are told, from St. Domingo, entered the Hall of the Convention, at Paris, and demanded to be heard. They would have their race emancipated. The Convention was assured, as this House is assured, that emancipation would be but the entering-wedge, that property would be destroyed, cities reduced to ashes, a rich and beautiful country soaked in blood, and the finest islands in all the world lost to France forever. Not so, said these gentlemen. This cannot be. All our desires originate in philosophy. We wish to do good. Lo! now look at St. Domingo, and behold the good! Have like scenes been witnessed on the face of the earth since the destruction of Carthage?

Emissaries have been among us in the South. Already

* Speech of Mr. Rutledge. † Speech of Mr. Brown, of Rhode Island.

they have begun war. The blacks have been talked to and tampered with. An actual organization has been commenced and is going on. There cannot be any doubt that men have been sent from France to feel the pulse of this country; to see whether or no there are the proper engines to make use of.* When the upholders of slavery had gone on in this wise for some time, a call for the yeas and nays was made. The motion to refer was thereupon withdrawn, for every one knew that, were such a vote taken, the majority against the reference would be great. The House was next asked to send to the committee such portions of the petition as related to the fugitive slave law and the slave-trade in foreign parts. But a motion to adjourn cut short the debate. When the discussion was resumed an amendment was offered, that all such parts as invited Congress to legislate on subjects from which it is precluded by the Constitution ought to receive the pointed disapprobation of the House. When the discussion ended, the words, "the pointed disapprobation," had become "no encouragement or countenance." In this form eighty-five members voted Yes. But one voted Nay. His name was George Thatcher, and he had, to six congresses, been sent as the representative from a district of Maine.

The heat excited by the petition of the black men having cooled, the resolution to reduce the army was called up. The debate was protracted. The speeches contained no arguments that were new, and might well be passed by unnoticed were it not for the singular consequences to which one of them led. The speaker was John Randolph of Roanoke. He was still a youth, for he had not reached his twenty-seventh year. That so young a man should have found a place in so splendid a representation as Virginia sent was of itself enough to mark him out as a person of no common kind. He had, indeed, a quick and vigorous mind. But whatever of success he achieved in the whole course of a long career was due less to his parts than to unparalleled audacity, to insolence, and to the influence of his name. His friends, and he had few of them, looked upon Randolph, while living, as an eccentric and a prejudiced

* Speech of Mr. Rutledge. Annals of Congress, Sixth Congress, pp. 230–246, vol. i.

man. The jurymen before whom his will was contested pronounced him to have been, in his latter years, insane. The verdict might, with small modification, have been extended to his whole life. Nature had richly endowed him. But the periods during which he was in the full possession of his faculties were few and brief. In one of them he frankly declares his "unprosperous life" to be "the fruit of an ungovernable temper."

The violence of his temper was something terrible. The story is recorded that, while still a little child, he swooned in a fit of passion, "and could with difficulty be restored." Wilful indulgence so strengthened this infirmity that he has come down to us as the most acrid and intemperate speaker and the most consummate bully that ever stood upon the floor of the House. So completely did his gall control his reason that he remained to the end of his days the most cramped and narrow-minded of men. To be liberal in politics or charitable toward his fellows was impossible. In common with members of his party, he became, and remained, a strict constructionist. But any other strict constructionist the House could produce stood aghast at the lengths to which Randolph would go. To be an implacable enemy was to his mind as praiseworthy as to be a stanch friend. It was a boast that he never forgave an enemy and never deserted a friend. That he never forgave an enemy is true. For it was impossible for him to believe that a Randolph could ever be in the wrong. That he never deserted his friends is not true, unless his view be accepted, and we declare that his friends deserted him.

That a man of imperious temper, envious and suspicious, should often fall a prey to prejudice and hate, was no more than natural, and Randolph, before he was twenty-three, had acquired three bitter hatreds which remained with him to the last. John Adams was the subject of his earliest. While a student at Columbia College he had stood in the lobby of Federal Hall and beheld the Vice-President sworn into office. His brother was with him, and as they went in or came out of the building the brother "was spurned by the coachman of the then Vice-President for coming too near the arms emblazoned on the escutcheon of the vice-regal carriage." Thenceforth

John Adams, nay, even John Quincy Adams, was hated by Randolph most heartily.

A year later the lad removed to Philadelphia and began to read law in the office of the Attorney-General. For the abilities of the Attorney-General he seems to have had small respect. But that officer was a Randolph, and when, in 1794, he resigned office, overwhelmed with disgrace, Washington became the second man John Randolph learned to hate. This hate he displayed when, at a dinner, not long after, he gave the toast, "George Washington—may he be damned." Then added, after a pause, "if he signs Jay's treaty." In 1796 he went on a visit to Georgia. There he found the people in commotion over the Yazoo frauds, was carried away by the excitement, became an anti-Yazoo man, and was never so happy as when shouting down an opponent with the cry of, "Sir! you were a Yazoo man," or, when choking and fuming with rage, he denounced that great fraud on the floor of the House of Representatives.

Thus prejudiced against the men in power, Randolph entered public life in the spring of 1799, and announced himself a candidate for Congress. His love of politics was strong, and the politics of Virginia were at that time most alluring. While a school-boy of fifteen at New York he had perused with eagerness the debates in the constitutional convention of Virginia, and had gone day after day to listen to the discussions that went on upon the floor of the House. He was then a bitter Antifederalist. He was, in 1799, a zealous Republican, and every Republican in Virginia was at that time expected to bear an active part in the campaign. Jefferson was busy marshalling and drilling the party. Madison had declined to be named for a seat in the sixth Congress, that he might be sent to the Legislature of the State. The Federalists, in despair, had turned to Patrick Henry for help, and begged him to speak in their behalf. Old and feeble as he was, Henry consented, and, one afternoon in March, denounced the Virginia Resolutions from the tavern porch at Charlotte. After he had finished, John Randolph came forward, and in turn addressed the crowd. When December came, Patrick Henry was dead, and Randolph a member of Congress.

The first of his speeches which attracted notice beyond the walls of the representatives' chamber was made upon the resolution to reduce the standing army. He supported the resolution, and he supported it because a standing army was useless, costly, dangerous, and unconstitutional. Men who mean to live freemen must ever be ready to take up arms and meet danger in person. They cannot trust the defence of their liberties and their rights to "mercenary armies." This was precisely what the freemen of America did not intend to do. They put no trust in the protection of "a handful of ragamuffins." They well knew when danger came they themselves must face it. What they wanted was not protection, but arms. To men so minded the enlisting and the military display that met the eye at every turn was simply galling. They were justly indignant at the sight of a body of loungers living on the public and consuming the fruits of honest toil. They would not have great sums of money forced from their pockets "to pay hirelings under the stale pretext of an invasion of the French."

Language so violent, and from a man so young that when the Revolution opened he could not have done more than talk plain, was thought most insulting. Had he borne a share of the sufferings of Valley Forge, had he marched through the snow to Trenton, had he stormed the trenches at Yorktown, he would have found other epithets than "hirelings" and "mercenaries" for the troops which Washington and Knox and Hamilton were proud to command. Indeed, one of his colleagues soon took him to task for language so intemperate. General Lee complained of the use of the term "mercenaries." The word applied only to such foreign troops as a country hired to fight in its cause. This Randolph denied, asserted that all soldiers who were not militia were mercenaries, and, making a pun on the general's name, declared that men who fought for hire were the very *lees* of society. Another, who charged him with being inaccurate, was flatly contradicted, and bade learn his lesson better before again catechising those who knew more than he did. A lawyer who replied to him was derided in turn as a man whose estate was his tongue.

Of this insolence the House took no notice at the time. But the members soon repaid his pertness in a way he long re-

membered. On the second evening after his speech he went to the theatre in company with some friends. What there befell him may well be narrated in detail as an illustration of the manners of the time. After the fashion of the day, the entertainment comprised a comedy called "The Strangers" and the "grand dramatic romance" of "Blue Beard, or Female Curiosity." While the dramatic romance was being played, some men, dressed as Turks and carrying pikes, marched about the stage to the sound of a drum. Instantly a naval officer, who sat in the box adjoining Randolph, and who recognized him, said aloud to a companion: "Those are well-looking mercenaries." Finding no notice taken of the remark, he rose, came into the box where Randolph was, called over the partition to his friend: "What do you think of these ragamuffins?" "These ragamuffins are not Pennsylvanians, they are black Virginian ragamuffins"; said they were "not well drilled, but would be better next session of Congress," climbed upon the bench, and finally thrust himself into a small space between Randolph and the partition, and sat down. As he was leaving the theatre Randolph felt his cape plucked violently from behind. Turning about, he demanded who did it. Receiving no answer, he pronounced the offender a puppy. There he would have done wisely to let the matter rest. But he would not, went home, and, in the heat of passion, addressed the President in a most foolish note. Mr. Adams was told that the independence of the Legislature had been attacked, that the majority of the people had been insulted, that his own authority had been condemned, and that a "provision commensurate with the evil" ought to be made "to deter others from any future attempt to introduce the reign of terror into our country."

An investigation was promptly ordered; and the letter, with a brief message, sent to the House. The matter was, the President thought, one of privilege, and "ought to be inquired into by the House itself, if anywhere." He would therefore submit the whole letter "without any further comments on its matter or style."

The Republican newspapers hailed the incident with delight. The assault, said one of them, on Mr. Randolph in the playhouse, by a man holding a commission under the United

States, will call to the recollection of our citizens the long series of events which have hindered the recruiting service. It is unpopular, and it has been made so by the doings of the military themselves. To say more would be unsafe; for it is clearly the intention of these men and their masters to visit with dire punishment any one and every one who tells the people what they, their rulers, are. A printer at New London expresses his abhorrence of the licentiousness and debauchery of the military patriots near that town. He exhorts those who love virtue and the pursuits of industry to shun a military life. Instantly a prosecution is begun against him, and he is hurried away to jail. A committee of Congress next propose to suspend the recruiting service altogether. A member, speaking to the same effect, ventures to describe the men who make up the body of a standing army. That night he is insulted in a public place by creatures calling themselves gentlemen and officers under a free Government. How long the servants of the people and the servants' servants shall trample on their masters, God only knows.* Mr. Adams has done well to make no comment on the "style," said another. Language so manly, so energetic, is new to him. The letter contained none of the shameful sycophancy of the obsequious addresses of the faction.†

The House sent the letter to a committee. The committee examined witnesses, the witnesses contradicted and corroborated each other by turns, but proved most conclusively that the affair was one a cool man would never have taken up. The committee, therefore, gave it as their opinion that Mr. Randolph had acted most improperly in carrying his complaint to the President and not to the House, and that, as for the affair at the play, there was nothing in it to call for interference by the House on the ground of breach of privilege.‡ The debate consumed five days. Every phrase, almost every word of the letter, was discussed and defined. The report was then adopted by a handsome majority.

A sensitive man would from such a rebuke have gained a store of wisdom. Even Randolph seems to have felt it. But any wounds his feelings received were soon healed by the in-

* Aurora, January 16, 1800.
† New York Journal, January 25, 1800.
‡ Annals of Congress.

teresting position in which he was placed. The Republican press depicted him as another martyr to the good cause, as another man John Adams had attempted to destroy, and put his name in the list with such persecuted Republicans as Matthew Lyon and James Monroe, George Logan, Jonathan Robbins, and John Fries. In a few weeks four more names were added.

The Federalists in the House having furnished the Republicans with a new example of the evils of a standing army and the tyranny of the President by three votes, the Federalists in the Senate at once furnished another. The leaders of the party were determined that, if the presidential election could not be carried by fair means, it should by foul. Adams's electors might be defeated in the Legislatures and at the poles, but the votes of the Jefferson electors should, if possible, be thrown out by Congress. With this for its purpose, an electoral-count bill appeared in the Senate. James Ross, who sat for Pennsylvania and whom the Federalists supported for Governor of the State, brought it in. He began by moving for a committee to consider what provisions, if any, should be made for deciding disputed presidential elections, and determining the legality or illegality of the electoral votes cast.* The committee was elected, reported by bill, and the bill, just after passing a second reading, was published in the Aurora in full.† The document was long, but the substance of the fourteen sections may easily be stated in a few words. They provided that, as soon as the certificates of the electoral votes had, on the second Wednesday in the February following a presidential election, been opened and read in the presence of Congress, the papers should at once be given to a Grand Committee made up of the Chief Justice, six members of the Senate, and six members of the House. The twelve were to be chosen by ballot on the day before the second Wednesday in February, and, with the Chief Justice, were to hold secret session, have power to send for papers and persons, examine and decide on the qualifications of the electors, and the manner in which they had cast their votes; see whether bribery or force, threats or persuasion, had in any case been used; determine what electoral votes should be counted

* Annals of Congress, January 23, 1800. † Aurora, February, 1800.

and what should not; and report on the first day of March following, and that report was to be final.

The purpose of this shameful bill was plain to all. An attempt was on foot in Pennsylvania to change the old way of choosing electors. The State, it was said, ought to be cut up into as many districts as it had electors, and each district choose one. The fitness of so doing was even then being debated in the Legislature of the State. Could the scheme pass in the Legislature of Pennsylvania, and the electoral-count bill in the Legislature of the United States, success in the coming presidential election was, the Federalists thought, assured. Without the vote of Pennsylvania they could do nothing. With these two measures to help them, it would go hard if the vote of Pennsylvania was not theirs. Nothing would be easier than to trump up some charge of bribery or intimidation against the Republican electors, examine them before the Grand Committee in secret session, disqualify all, or enough to give the Federal electors the majority, and the State was theirs.

This, the editor of the Aurora declared, was not the only bad feature of the bill. A caucus had framed it. Everybody knew of the caucuses held of late in the Senate-chamber, and that intrigues for the Presidency were among the matters there discussed. It now appeared, beyond a doubt, that Mr. Ross's bill was prepared at the last Federal caucus. On his committee was Mr. Pinckney, of South Carolina, a stanch and open friend to Republicanism and the people's rights. But Mr. Pinckney was not bidden to the caucus, did not know one had been called till the morning after the meeting, when Mr. Ross told him that a bill was drawn.

The editor then went on to show the evils of caucuses, and narrated the secret history of one held at Mr. Bingham's house in 1798. None but senators were admitted, and out of thirty-two, seventeen came. This made a majority of the Senate, and, before discussing what should be done regarding the army, the navy, the war, and Democratic proscription, a solemn pledge was exacted. Each promised to be bound by the will of the majority, and to support with firmness in the Senate any measure approved by the caucus. When the votes were taken the majority was one. The nine, however, held

the eight to the agreement, and all seventeen voted alike in the Senate. Thus the will of nine ruled twenty-three.

Enraged at these charges, the Federal senators determined on a most undignified and foolish revenge. With a cunning worthy of a Jacobin, they moved for a standing Committee of Privileges. No such committee had ever yet existed in the Senate, and the uninitiated saw no reason why it should. But their objections were silenced and the motion carried, twenty-two to seven. That same night it was moved to bid the committee inquire who was the editor of the Aurora, and how he came to publish a certain bill. The committee found that the editor was William Duane, that the publishing of the bill was a high breach of privileges, and that the remarks of Duane on the Senate were false, defamatory, scandalous, and a libel of a malicious kind. To this the Senate agreed. But before punishing the libeller it was determined that, if he wished, he should be heard at the bar. He was summoned, came, denied the jurisdiction of the Senate over such affairs, asked to be heard by counsel, and was told he could. Counsel, however, were to speak only in excuse or extenuation of the crime, or on such questions of fact as might come up.

Duane now began to play his part in what was already a foolish proceeding. For counsel he chose Alexander Dallas and Thomas Cooper. To each he wrote a letter, and each sent in reply a letter, which, with one of his own, Duane dispatched to the Vice-President of the United States. Mr. Dallas could render no aid. To come before the Senate under the restrictions imposed would, he wrote, be degrading to the profession and disgraceful to himself. Mr. Cooper could do nothing. He, too, would not degrade himself by appearing in the Senate-chamber with their gag in his mouth. Thus deprived of counsel, Duane declared he must decline any further voluntary attendance. He would have the Senate take such measures as, in their wisdom, they might deem meet. He was voted guilty of contempt, and Jefferson instructed to issue a warrant for his arrest. Jefferson did as commanded, but Duane ceased to attend in the Senate gallery, and kept out of reach of the Sergeant-at-Arms. His friends meanwhile took up his cause, framed a vigorous remonstrance to the Senate, and passed it about the city for

names. Great numbers signed it, and among them were many Federalists who felt that the Senate had, indeed, gone too far. On the tenth of May the remonstrance was presented. As a mark of especial derision, the senator who presented it was William Bingham, whom Duane had denounced as the caucus chief. The motion to read it was carried by Jefferson's casting vote. When the clerk had finished, a call was made for some of the names. The first on the list was Patrick McCarty, and when the clerk, in a loud voice, read it out, the Senate burst into shouts of laughter. The order of the day was moved, and the paper folded up and carefully put away.*

Having provided, as they believed, for the punishment of the factious editor, the Federal senators would gladly have arraigned his insolent counsel. But to punish men for a few caustic sentences in a couple of private letters to a friend was a power which even they did not venture to assume. To harm Mr. Dallas was, therefore, impossible. To reach Mr. Cooper was easy, and they soon beheld him fined and in jail.

Cooper was an Englishman, had inherited a good fortune, had been bred to the bar, but had spent far more time experimenting with acids and gases than in perusing law-books or preparing briefs. From chemistry he drifted to metaphysics, from metaphysics he passed to politics, and in politics made himself so detested in England that he was soon on his way to the United States. Here he began the practice of law. But, though an earnest Republican, a scholar, and a man of unquestionable ability, his clients were few, and he found himself under the necessity of seeking a Government place. In 1797 the office of agent for American claims under the English treaty was vacant. Priestley knew this, and suggested to Cooper to apply for the place. The objections were raised that he was not a native, and was not of the President's political views. Priestley thought such objections of little moment. For, said he, if Mr. Adams means to be the ruler of a nation and not the leader of a party he will be glad of a chance to show it. A letter was therefore written by Priestley to the President, presenting Cooper's name for the place. With it went one from

* Aurora, May 13, 1800.

Cooper himself. The office was given to another; and no answer to either letter was ever received.

Cooper then retired to Northumberland county, set up a newspaper which he named the Sunbury and Northumberland Gazette, warmly supported the Republican cause, and, when Thomas McKean ran for Governor, issued an address in his behalf. A copy of the address fell into the hands of a reader of the Reading Weekly Advertiser, who asked if this was the same Thomas Cooper who once sought office of the man he now reviled.* Cooper replied that he was the same man, and could see nothing improper in what he had done. Not he, but John Adams had changed. In 1797 the President "was hardly in the infancy of political mistake." Then he had not declared a Republican government might mean anything, had not sanctioned the Alien and Sedition Laws and the abolition of trial by jury; had not saddled the country with the expense of a standing army; had not inflicted it with a permanent navy; had not brought its credit so low as to borrow money at eight per cent; had not planned embassies to Russia, Prussia, and the Sublime Porte, nor interfered with the course of justice, nor delivered poor Robbins to the mock trial of a British court-martial. Robbins's case, unhappily, was little known. But it ought to be well known, and, before the next election, it should.

For this the Federalists had him indicted and brought to trial on the eleventh of April. On the same day Charles Holt, who edited the Bee, was brought to trial for libel at New London. The day was Friday, and the Republicans pointed out that, in Connecticut, the Governor had appointed it to be a day of fasting, humiliation, and prayer. The presiding judge at Philadelphia was Samuel Chase, as violent and intemperate a partisan, and, therefore, as unjust a judge, as ever disgraced the bench of the Circuit Court of the United States.

Cooper put in a plea of not guilty, pleaded the truth of the facts, and directed subpœnas to issue for the President and a number of members of the Senate and House. Judge Chase forbade this and declared the attempt to subpœna the President an improper and an indecent act. Congress being in session,

* Reading Weekly Advertiser, October 26, 1799.

the members summoned might have stood upon their privilege and refused to come. But they came voluntarily, sat through the trial, and were made no use of by Cooper, though the Court informed him they were present. He attempted instead to put in evidence extracts from the addresses the people made to the President, and from the answers the President made to the people, in the summer of 1798. The Attorney-General objected. The clippings were from the newspapers, and might not be correct. Design or accident might have made the statements inaccurate. Cooper then wrote to the Secretary of State, asked to see the original addresses and answers, and was informed no such papers had been sent to the Department of State. A similar request was made of Adams; but, receiving no reply, Cooper bought a book called "A Selection of Addresses and Answers to and from the President of the United States in the Year 1798," left it with Mr. Adams's secretary, and begged to have the selections in the book compared with the original papers. The secretary replied that no information was to be had from the President.

When the jury had pronounced him guilty, and the sentence of the Court was about to be imposed, Judge Chase asked who was to pay the fine. If the Republican party, then the Court would go to the very limit of the law. If Mr. Cooper, then the Court would consider his circumstances. Judge Peters frankly declared that the matter of party had nothing to do with the fine. Mr. Cooper was to be punished, and not the Republican party. The fine was therefore made four hundred dollars. The term of imprisonment was fixed at six months.*

On the list of printers and editors on whom the law had by this time laid a heavy hand were ten names. At the head stood Matthew Lyon. Then Anthony Haswell, printer of the Vermont Gazette, who a whole year after indictment was sentenced to pay a fine of two hundred dollars and be locked up in jail for sixty days. Benjamin Franklin Bache came next. But his death closed the suit. Then followed Abijah Adams,

* An Account of the Trial of Thomas Cooper, of Northumberland, on a Charge of Libel against the President of the United States. Taken in short-hand by Thomas Cooper.

of the Independent Chronicle, and Luther Baldwin, and Thomas Frothingham and Charles Holt, of the New London Bee, and Thomas Cooper, and James Thomson Callender, and, finally, by request of the Senate, William Duane.

Baldwin had expressed the hope that the wadding of a cannon fired on a day of public rejoicing might have been lodged in the President's posterior parts. Frothingham was a type-setter on what the Federalists called "Mother Greenleaf's Argus," and, from time to time, contributed short paragraphs to that sheet. In one of them he accused Hamilton of an attempt to buy the Aurora and suppress it in the interest of the Federal cause. For this he too was imprisoned and fined.

Callender belonged to a class of men long common in England, but, till he arrived, little known in the United States. He was a fine specimen of a Grub-street hack. As destitute of principle as of money, his talents, which were not despicable, were ever up for sale. The question with him was never what he wrote, but what he was to be paid for writing. It ceases to be surprising, therefore, that, having begun his career in America by vilifying Washington, he should, before he sank out of sight in the waters of the James river, have turned upon his old employers and loaded Jefferson with calumny and abuse. His three employers in America were Thomas Jefferson and George Mason and Benjamin Franklin Bache. For a short time in 1798, while Bache was away, Callender took charge of the Aurora. The period may easily be determined, for the columns of the newspaper then teemed with slander of a kind which even in the Aurora was new. When the Sedition Bill passed he fled to Virginia, and found a refuge at Senator Mason's home. The place was near Alexandria, and thither, just after the Senate rose, Callender went. Not far away was a distillery, and there one day he was picked up, smeared with dirt and stupid with drink. His captors believed him to have escaped from the Baltimore wheelbarrow gang, and hurried him before two justices of the peace. The justices pronounced him a vagrant, nor would they let him go till Mason appeared and took a solemn oath that he knew Callender to be a person of good character and repute. A strong Republican newspaper was then wanted in Virginia. The Richmond Examiner was

therefore started, and Callender placed in charge. The choice was a wise one, and the Examiner soon became to the Republicans of the South all that the Aurora and the Independent Chronicle were to the party in the Middle States and in the East.

Just before this windfall came to him, Callender seems to have been in great need of money, and in his hour of need he called upon Jefferson for aid. Could not Mr. Jefferson find him some employment? Could he not get into a counting-house or a school near Richmond? Materials for another pamphlet were gathered, and, if he only had money enough to buy paper, the profits of the sale of the book would be all his own. Jefferson sent fifty dollars, and told the lampooner when the book appeared to send two copies to his benefactor, and in a few weeks received from Callender the proof-sheets of the first part of "The Prospect before Us."* They were thankfully acknowledged, warmly praised, and in January, 1800, the pamphlet appeared. In the preface Callender declared his theme to be "the misconduct of the President" and "the multiplied corruptions of the Federal Government." The ten chapters made up a violent tirade on the innumerable abuses of which the Republicans complained. The addresses Adams had received and the answers he had made; the origin of the Revolution; the Fast-day ceremonies; the prosecution of Bache; the Algerine tribute; the X. Y. Z. mission; the Alien Act; the Sedition Act; the conspiracy of the aristocrats to put off the new census till the election of 1800 was held; the monstrous increase in the public debt; the impeachment of Blount; and the abyss of American degradation, were singled out for especial condemnation. But the pamphlet had not been long from the press when the author was tried and convicted of libel. No mention was made in the indictment of the title, "The Prospect before Us." A few sentences, by no means the bitterest that could have been found, were chosen, and upon them the case was based. The reign of Mr.

* "I thank you for the proof-sheets you inclose me; such papers cannot fail to produce the best effect. They inform the thinking part of the nation; and these again, supported by the tax-gatherers as their vouchers, set the people to rights. . . ." Memoirs of the Administration of Washington and Adams, edited from the Papers of Oliver Wolcott, Secretary of the Treasury. George Gibbs, vol. ii, p. 294. Jefferson to Callender, October 6, 1799.

Adams, Callender wrote, had been one continued tempest of malignant passion. Never, since taking his seat in the presidential chair, had he opened his lips or lifted his pen but scolding or threatening followed. He had exasperated the rage of contending parties, he had calumniated and destroyed every man who differed from him in opinions, he had driven from office everybody who would not vote as he wished, and he was, besides, a professed aristocrat.

The case was to be called at Richmond during the close of May, and, as the day approached, the interest of the whole country in the trial rose perceptibly. To read the scurrilous pamphlet and say the writer was not guilty of sedition was impossible; but what became of Callender was of little consideration, as every one knew the real contest would be between the Republican lawyers of the Virginia bar and the most reckless, the most partisan, the most fearless judge on the bench of the Circuit Court. Long before the trial opened, statements were made and sworn to that Chase had spoken his threats of what he would do; that he had commanded the Marshal to see to it that none of the rascals called Democrats were put on the jury, and that, in the presence of a great company, he had shown how he would draw the best lawyers of Virginia across his knees and flog them out of their nullifying mood.

The case opened with the usual pleas for time. Some were granted, and the lawyers prepared a trap for the judge. They presented an affidavit from Callender that he must have still more time; in fact, till the next term. The witnesses on whose testimony he relied to prove the truth of his statements could not be assembled in a few weeks. The paper then gave a list of witnesses scattered over the face of the country. He must have William Gardner, who lived at Portsmouth, and Judge Bee, who lived in South Carolina, and Tench Coxe and Timothy Pickering, who were at Philadelphia, and General Blackburn, from Bath county, Virginia, and William B. Giles, of Amelia county, in the same State. Great stress was laid on the expected testimony of Giles, and the Court put off the trial for a few days; and, when the case was again called, the lawyers for the defence declared they did not think Giles would come, and had the boldness to claim that, as the Court had consented to a

delay in the hope that Giles would come, the judge had, by so doing, admitted the extreme importance of that witness, and ought therefore to put off trial till Giles did come, which, of course, would have been never. Then Chase grew angry, and, as he would have said, took the lawyers in hand.

The trial began in earnest at ten in the morning of the sixth of June, and closed after sundown with a verdict of guilty. William Wirt, with two young lawyers to help him, appeared for the traverser. As no name was on the title-page, the authorship was proved by the testimony of the printer, who turned against Callender, and came bringing with him some sheets of the manuscript yet in his hands. The lawyers for Callender declared the publisher was as guilty as the author, objected to the use of the pamphlet as evidence because it was not named in the indictment, attempted to discuss the constitutionality of the Sedition Law, were cut short by Chase, asked to sit down, told not to reflect on the Court, and so often interrupted that one in a passion folded up his brief and put it away. The fine imposed was two hundred dollars. The term of imprisonment was to be nine months. Sureties were also to be given for good behavior for two years.*

Neither fine nor imprisonment could silence him. Jefferson was his friend, and, as the election drew near, a second and a third part of "The Prospect," more savage, and, if possible, more scurrilous than the first, were written in the Richmond Jail.† The last appeared in 1801, when the result of the election was known, and all might well be forgotten were it not for the notoriety which, in a new form and under a new name, "The Prospect before Us" has since attained. On the nineteenth of June, 1801, John Wood, a hack-writer and an Englishman, not long in the United States, made a contract with two New York booksellers to write a "History of the Administration of John Adams." He was given till the first of November to finish the work, and in October the Aurora announced that it would shortly be published in the usual way, by subscription.‡ After the manner of a true hack, Wood sat down with his shears and soon had material enough for a book of five hun-

* Richmond Examiner, June 6, 10, 13, 17, 1800.

† The second part (vol. ii, part i) appeared in November.

‡ Aurora, October, 1801

dred pages. Whole chapters were cut from "The Prospect," whole pages from Callender's "Sketches of the History of the United States," and long extracts from his "Annual Register." The Aurora supplied some more clippings, and what the Aurora could not supply was freely given by its editor, William Duane.

When all was ready, the book printed, bound, and on the point of being issued, Wood was accosted one day in Nassau street, New York, by Aaron Burr. The Vice-President would like to see the "History." After reading a portion, he told Wood frankly that the book must be suppressed. Then began a long negotiation with the printers, who demanded twenty-five hundred dollars, then twelve hundred and fifty dollars and the copyright of a new history, but finally accepted eleven hundred, and gave up the whole edition, which, at daylight one May morning in 1802, was carried to the house of the lawyer of Burr. There for a while they remained. But only for a while, for the secret leaked out, produced a savage pamphlet warfare, and the publication of "The History of the Administration of John Adams," by John Wood.* Two thirds of it is borrowed, with scarcely a change of language, from Callender's lampoons.

The convictions which thus followed every indictment under the Sedition Law made it clear to the mind of the dullest Republican that packed juries and partisan judges had been combined. No uniform rule was then in use in the United States courts for the selection of jurors. They might, the law declared, be chosen in any of the ways in use among the States. In many of the States they were drawn by lot;

* A Narrative of the Suppression, by Col. Burr, of the History of the Administration of John Adams, late President of the United States, written by John Wood, author of the History of Switzerland and of the Swiss Revolution. To which is added a Biography of Thomas Jefferson, President of the United States; and of General Hamilton: with Strictures on the Conduct of John Adams, and on the Character of General C. C. Pinckney, extracted Verbatim from the Suppressed History. By a Citizen of New York. 1802.

A Correct Statement of the Various Sources from which the History of the Administration of John Adams was compiled, and the Motives for its Suppression by Col. Burr; with some Observations on a Narrative, by a Citizen of New York. By John Wood, author of the said History. 1802.

An Antidote to John Wood's Poison. By Warren. 1802.

but in New York and Pennsylvania, Maryland, New Jersey, and Virginia, the sheriffs chose the juries. This made it lawful for the United States marshals to do the same, and in the trials under the Sedition Law they did, undoubtedly, select such men for jurors as were devoted to the Federal cause. Of this no man was more firmly convinced than Charles Pinckney. His own experience as counsel for Jonathan Robbins had done much to make him discontented with the machinery of the United States courts. The cry of packed juries was heard on every hand. He believed it, determined to attempt a reform, and, in January, 1800, made a long speech to the Senate, and brought in a bill. The bill provided that all the juries of the United States courts should be drawn by lot, and then went on to specify the manner of drawing. How, said he, can that people be free where the administration of justice is made to depend on the will of a single man? How can any man, whose political opinions differ from those of a marshal, be fairly tried for any political offence touching his life, his character, or his fortune, while the political characters of the jury who are to try him depend on the selection of that marshal? Suppose a man charged with libel against the President. Suppose this libel accuses the President of acts so infamous that, if the writer be not convicted and punished, the President can not hope to be ever re-elected to office, is it likely that the marshal will be indifferent, that he will carefully select moderate men, men so little attached to party that they will really compose an impartial jury, and mete out strict justice to the libeller? Is not this expecting too much of human nature? Is it not more correct to suppose that the marshal will remember it was from the President his office came? That he holds it at the President's pleasure? That if, in a case so vital to the President, he be lukewarm, and choose men not approved, he will surely lose his place, while, if he exert himself, array a decided partisan jury, and procure a conviction of the libeller, his zeal will not, in the distribution of lucrative office, be forgotten? The most the Senate would do was to send down to the House a bill providing that, in selecting juries, the Federal courts should follow the custom in use in the particular State where the court was held.

Mr. Pinckney now proceeded to attack the judges. He began by moving an amendment to the Constitution forbidding United States judges to hold any other office while they sat upon the bench. But he soon changed his mind, and moved an amendment to the law of 1789, establishing the courts. The Senate would not hear of such a thing, and the motion was lost. Had the bill passed, the Senate would have censured the President for appointing Chief-Justice Ellsworth envoy to France, and themselves for confirming him.

Yet the feeling was general that the state of the judiciary called loudly for reform. The circuits were too long and the judges too few for the speedy administration of justice. The judges were perpetually on the road. Yet the calendars grew steadily longer and longer, and cases which ought to have been disposed of at once were delayed to the serious harm of the suitors. It was even a question whether Congress had power to require the justices of the Supreme Court to travel on circuit. These abuses the Federalists now undertook to correct. The bill which they framed and brought into the House provided for the decrease of the number of judges of the Supreme Court, and an increase of the number of judges of the district courts. Twenty-nine district courts they thought would be none too many.*

Undoubtedly, said the Republicans, this is not too many. The sole business of the session seems to be to spend money and make places; and, in a distribution of places, the lawyers ought not to be forgotten. Two hundred and three officers have been added to the standing army, though Congress has ordered that the recruiting shall stop. The Bankrupt Bill has made two hundred and fifty more new places. The Judicial Bill, besides the judges, will give employment to one hundred marshals and court officers. We are likely, moreover, soon to have admirals. Not that they are needed. Nobody supposes that Commodore Barry and Commodore Truxtun will do their duty one whit better as admirals than as captains. But they will contribute in common with all these new-made placemen to the establishment of a titled class—to the creation of an aristocracy.

* This section, the seventh of the bill, was stricken out, the bill recommitted, a new one brought in, and the whole matter put off to the next session.

The way in which Truxtun had lately discharged a duty was highly satisfactory to the Federalists. On the morning of February first, while off the road to Basseterre, he espied in the distance what seemed to be a ship from Martinico. In the hope of inducing the captain to come down and speak to him, Truxtun ordered the English flag to be run up. But the ship kept her course, and, when he looked again, the supposed merchantman was seen to be a French frigate of some fifty guns, heavily freighted, and low in the water. The command was instantly given to sling the yards with chains, and clear the ship for action. Though the chase began at eight in the morning of the first, it was eight in the evening of the second before the ships lay side by side. The ensign was then run up, the candles were lighted in the battle-lanterns, and Truxtun about to hail, when the Frenchman opened the battle with a fire from his stern-quarter guns. Word was passed below not to waste a pound of powder nor throw away a single shot, to take good aim, and fire directly at the enemy's hull. It was past one in the morning of the third when the fire slackened, and the French frigate drew off. Truxtun attempted to give chase, but the foremast almost immediately went over the side, carrying with it a young midshipman and several of the crew. The name of the midshipman was James Jarvis, Jr. The story has come down to us that, when the mast was tottering, an old sailor warned him that it was soon to fall, and that he replied, with perfect coolness, it was the duty of all to go with it. An hour passed before the wreck could be cut away. To overtake the Frenchman was then hopeless, and the Constellation put into Jamaica for repairs. La Vengeance, with every pump working, fled to Curaçoa, and was there condemned.*

For this gallant deed Congress voted a gold medal to Truxtun, and declared the conduct of James Jarvis, Jr., to be an example to the officers of the rising navy, and his early death a national loss. It is pleasing to notice that in a House where many warm and zealous Republicans had seats the bill passed with but four dissentient votes. John Randolph was one

* Letter of Commodore Truxtun to the Secretary of the Navy. Annals Sixth Congress, 1st Session.

of the four that answered No, and Matthew Lyon was another.*

The House now turned its attention to the condition of the public domain. That such a domain existed is due to the firm and far-sighted policy of the State of Maryland. Twenty-two years before, while the Articles of Confederation were being slowly ratified by the States, Maryland had refused to bid her representatives sign. Such of her sisters, she demanded, as claimed to be bounded by the river Mississippi, or the waters of the South Sea, should give up some of their claims. Their boundaries should be defined, their territory greatly curtailed, and the land so acquired held for the common benefit of all. Was it likely, she asked, that States then grasping at lands to which they had not the faintest shadow of exclusive right would, the moment they were acquired, use the new wealth and power with justice and moderation? Was it not reasonable to suppose that the same spirit which moved them to insist on a claim so extravagant would, when that claim was once established, impel them to add oppression to injustice? Suppose the pretensions of Virginia to the rich and fertile regions beyond the Ohio acknowledged, and the great State in undisputed possession of the lands, could not the dullest see the consequences to Maryland? By selling a small portion on the lowest terms, great sums of money would flow into the treasury of Virginia. This money would lessen her taxes. With taxes low and lands cheap, she would drain her neighbors of their most useful inhabitants, depopulate them, impoverish them, diminish their weight in the scale of the Confederacy, while, at the same time, she increased her own.†

Against this Virginia protested, opened land offices, gave land bounties, made private grants, and went on disposing of the territory with all the speed she could. When States less fortunate saw this, they too grew discontented, and the remonstrance of Maryland began to be heard. So strong did this feeling become that, late in October, 1779, Congress begged

* Annals of Sixth Congress.

† See the Instructions laid before Congress by the Maryland delegates, May 21, 1779.

Virginia to close her land office, and urged every other State with waste lands neither to settle it nor issue warrants for it till the war closed.* To New York belongs the glory of making the first response. On February nineteenth, 1780, her Legislature, in the most handsome manner, surrendered forever all claim to the country which lies between the sources of the great lakes and the Cumberland Mountains.† Congress thereupon made another address. ‡ The States were once more reminded how imperative it was that the Federal Union should be quickly placed on a fixed and permanent basis. The restoration of the public credit, they were told, the support of the army, the vigor of the Federal councils, tranquillity at home and reputation abroad, nay, the very existence of the United States as a free, sovereign, and independent people, depended upon a firm Federal alliance. Yet this alliance could not be without a liberal surrender of western land. The recommendation was earnestly made, therefore, that each State making claim to western lands would surrender it to Congress, and a solemn promise given that out of the territory so obtained should, in time, be formed distinct republican States.#

This appeal was heard. In January, 1781, Virginia gave up all claim to the territory northwest of the river Ohio. ‖ In March, 1781, the delegates from Maryland signed, and the ratification of the Articles of Confederation was complete.

On the soil to which Virginia thus renounced all right and title six States have since been marked down. Her claim was founded on the charter of the first colony of Virginia, and on the military exploits of General George Rogers Clarke. But it did not pass unchallenged. The people of Massachusetts believed that a strip some eighty miles wide, north of latitude 42° 2′, and stretching from the Mississippi to New York, was theirs, and, holding to this belief, the Commonwealth gave the land to the United States in 1784. Immediately south of this lay another strip which Connecticut claimed, and ceded in 1786. South Carolina came next, contributing to the public

* Resolution of Congress, October 30, 1779; carried, eight states to three.

† Held under titles obtained by treaties with the Six Nations. The Act of Cession was made known in Congress March 7, 1780. ‡ September 6, 1780.

Resolution of October 10, 1780. ‖ Deed of cession executed March 1, 1784.

domain a strip fourteen miles wide and running from her western boundary to the Mississippi river.

Thus, on the ninth of August, 1787, the United States was in possession of more than one hundred and ninety-nine million acres of public land. For the government of so much of this area as lay northwest of the river Ohio, Congress had already arranged. The ordinance is dated July thirteenth, 1787, and became the model of territorial government. Till such time, the ordinance provided, as there should be in the territory five thousand free male inhabitants of full age, the government was to be vested in the hands of a governor, a secretary, and three judges. Each must be a resident of the territory and a holder of land. For the Governor a thousand acres was thought to be enough. For the Secretary and the judges half as much. When the necessary population was reached, a Legislative Council and a House of Representatives were, with the Governor, to be intrusted with the management of territorial affairs. The people were to elect the members of the House, sending one representative for each five hundred free males. But this ratio might be changed when the House numbered twenty-five. Immediately on assembling, the representatives were to make choice of ten men, each a freeholder of five hundred acres of land. Of the ten, Congress was to choose five, and they were to be the Council. Out of the territory thus governed not more than five, nor less than three, States should ever be made, nor should any of the States ever be admitted to the Union till its population numbered sixty thousand souls. Slavery was forbidden, and involuntary servitude, save in punishment of crimes; fugitive slaves were to be surrendered, and a long list of such guarantees of personal liberty given as, at that time, commonly made up a Declaration of Rights.

All these contributions to the public domain were not made without reservation. West of Pennsylvania, and running one hundred and twenty miles along Lake Erie, was a great tract of three million eight hundred thousand acres, still known as the Western Reserve of Connecticut.* In what is now Indiana

* The "Fire Lands" lay on the western part of the Reserve, embraced five hundred thousand acres, and were for the use of such citizens of Connecticut as

were one hundred and fifty thousand acres more, set apart by Virginia for the use of General Clarke and his men. Along the north bank of the Ohio, from the Scioto to the Little Miami, lay the Virginia Military District, now cut up into twenty-three counties and spreading over four million two hundred thousand acres of land. But the strangest of all reservations was that of North Carolina. Three kinds of claims, it was stipulated, must be satisfied before a foot of the land was disposed of in any other way.* On November tenth, 1791, the Secretary of State reported that under these claims more than eight millions of acres were demanded, while the number of acres for satisfying them summed up to but seven millions and a half.

South of the Carolina session were the debatable Georgia lands. A tender of the territory had been made by Georgia in 1788, but Congress rejected the offer, declared the region had, in colonial days, been part of the British province of Florida West, and was, therefore, by the treaty of peace, already the property of the United States. Georgia insisted on her claim, and, on Christmas eve of the following year, sold thirteen millions and a half of acres beyond the Chattahoochee for two hundred thousand dollars. The Georgia Yazoo Company, the South Carolina Yazoo Company, and the Tennessee Yazoo Company were the purchasers, and tendered payment in depreciated Georgia notes. The State refused them. The Legislature repealed the act, and the bargain was declared at an end. But much of the land had been sold to New England speculators; the region was a tempting one, and four new land companies were quickly formed. The names of the four were the Georgia, the Georgia Mississippi, the Upper Mississippi, and the Tennessee. But they have come down in history as the Yazoo companies, from the country in which they oper-

had suffered loss in the towns burned and raids perpetrated by the British troops during the Revolution.

* These conditions comprised three kinds of reservations: 1. A reservation of land appropriated for the use of citizens of North Carolina who had served in State and Continental lines of the Revolutionary army. 2. Land grants, whether located or not, made by the State to individuals. 3. Entries under the law of 1783, in the office of John Armstrong, an interloper, and found to conflict with prior claims.

ated and from their connection with the great Yazoo frauds. By their influence and their bribes they secured from the Legislature of Georgia, on the seventh of January, 1795, a most amazing piece of legislation. The act upon its face seemed harmless enough. Twenty millions of acres, it was supposed, but in reality thirty-five millions, were sold to the four companies for five hundred thousand dollars. That such rich land should bring so small a price excited attention, and then the villainy came out fast. The act empowered the companies to take up ten millions of acres additional for the use of such citizens of Georgia as might be admitted to the venture. In the list of those admitted appeared the name of every man, save one, who, on the seventh of January, cast his vote in favor of the act. The method of bribing was old, and has since been often resorted to. A certain number of acres were assigned at a fixed price to each man. Payment was not demanded. When the market price had risen to forty or fifty times the fixed price, the company were to pay the difference and take the land.

No sooner did the true character of the sale become known than the State of Georgia, from the mountains to the sea, was aflame. The Grand Juries of every county but two presented the act as a public grievance. The Convention which assembled in May had its table heaped up with petitions, memorials, remonstrances. Hardly a freeman in the State but put his name to some such document. Every member of the Legislature of 1796 came solemnly pledged to the repeal of the act. Accordingly, on the thirteenth of February, 1796, the Legislature pronounced the sale unconstitutional, null, and void. The two Houses then formed in procession, marched to the front of the State-House, and drew up before a bonfire in the road. The committee handed the paper on which the hated act was printed to the President of the Senate. The President passed it to the Speaker of the House. The Speaker gave it to the Clerk. The Clerk delivered it to the door-keeper, and he flung it into the flames.

Two years later * Congress set apart so much of the country as lay between the Mississippi, the Chattahoochee, the thirty-

* April 7, 1798.

first parallel, and an east and west line through the mouth of the Yazoo river, as "one district," called it the Mississippi Territory, and bade the President name three commissioners to settle amicably the conflicting claims of Georgia. After a second interval of two years this act was amended, and on May tenth, 1800, the privilege of Territorial Assembly was conferred on Mississippi. At the same time another wise and beneficent act was passed. By the law of 1796, the smallest parcel of land a settler could purchase from the Government was one square mile, and the least price for which it could be sold was two dollars per acre. The number of settlers who could, in the course of a twelvemonth, pay down twelve hundred and eighty dollars for land were few, and this was felt as an evil, both at the Treasury and in the West. Men who were far from being dreamers had confidently predicted that, when the Indians had been quieted and the frontier posts given up, land sales would be rapid, money would flow to the Treasury in a plentiful stream, and each year several million dollars would be taken from the national debt. Wayne had humbled the Indians. The British had withdrawn from the posts. Yet all the money derived from all the land sales made by the Government up to 1800 was but a trifle over twelve hundred and one thousand dollars.* The Government had overreached itself. In its eagerness for revenue it had foolishly supposed that great sums of money could only be had by selling great quantities of land at a time. The sections, therefore, passed to companies and speculators, who sold them in small areas at an advanced price to actual settlers. This was thought in Ohio, and justly thought, to be a grievance. Why should rich men, it was asked, who lived in the East and never in the whole course of their lives set foot on an acre of their Ohio land, be permitted to buy for two dollars, and the poor settler be forced to pay three? Who was it that gave value to the lands? The speculator with his ready money, or the settler with his plough?

So strong was this feeling that the territorial delegate came to Congress fully determined to correct the evil if he could. He did succeed, and, before the House rose, secured the passage of a bill which, in time, did far more for the good of his coun-

* More exactly, $1,201,725.68. The acreage was 1,484,047.

try than his great victory over the Prophet at Tippecanoe, or his defeat of Tecumseh at the battle of the Thames. Henceforth land was to be offered at auction in half-sections of three hundred and twenty acres each. If not sold, any settler might have any half-section he wanted by entering it at a land office and paying two dollars per acre and the cost of survey.* One quarter was to be paid in forty days after entry. The rest within four years. Almost at the same time a bill passed cutting the territory northwest of the river Ohio into two parts.† The most easterly section received the name of the Territory of Ohio,‡ and a part of it is now Ohio State. The westerly part was called Indiana Territory, in honor of an old land company which, in ante-revolutionary days, owned lands in that region and bore that name. Vincennes was made the capital, and William Henry Harrison the Governor.

The same day whereon the House passed the Public Lands Bill a law was enacted for disbanding what the Republicans called the standing army. On June fifteenth, 1800, all officers and men, so far as enlisted, of the additional army were, the law provided, to be discharged with three months' extra pay.# As the fifteenth of June fell on a Sunday, the rejoicing with which the Republicans determined to celebrate the event was put off till Monday, when the people of Newark, which boasted of being a stronghold of Democracy, were aroused at sunrise by the ringing of bells and the booming of cannon. At sunset the bell-ringing and cannonading were repeated, and to them was added a Republican festival in the Town Inn. There speeches were made and toasts drunk to Thomas Jefferson, Albert Gallatin, and John Randolph, to the People of Bergen county, to the Cap of Liberty, to the Fifteenth of June, 1800, and to the hope that every nation on the earth might soon be freed from supporting that engine of despotism, a standing army.‖

* Four land offices, each with a register and receiver, were established. They were at Steubenville, Marietta, Cincinnati, and Chillicothe. Till then land could only be bought at the Treasury in Philadelphia, or at vendue at Pittsburg or Cincinnati.

† May 7, 1800.

‡ The western boundary of Ohio Territory was a line from a point opposite the mouth of the Kentucky river to Fort Recovery, thence due north to the Canadian border.

May 10, 1800.

‖ Aurora, June 19, 1800.

At Alexandria, in Virginia, much the same ceremony was performed. There, too, the Tree of Liberty, the Republican Leaders, and the Fifteenth of June were toasted.* But the day had to them a double significance, for it had by order of the President been fixed for the establishment of the Public Offices of the United States at Washington.

The District of Columbia then lay on each side of the Potomac river, and within it were Georgetown and Alexandria. The Maryland side, however, was chosen for the site of the Federal city,† and the duty of planning and laying it out was intrusted to Major L'Enfant. Farmers, whose lands the city would cover, were persuaded to deed them to the Federal commissioners to be laid out into streets and squares, parcels and lots. No compensation was given. Major L'Enfant took what land he wanted for public buildings, streets, and parks, marked out the remainder into lots, gave back half of these to the grantors, and kept half for the United States. Much that appears upon his map does not exist elsewhere. On the site where the Patent-Office now stands was to be a national church, wherein thanksgiving sermons and funeral orations were to be pronounced, and monuments to the illustrious dead preserved. At precisely five thousand two hundred and eighty feet from some point on the Capitol was to be a column, decorated with representations of Revolutionary incidents, and marking a standard mile. A second column was to commemorate naval events. On the wretched Tiber creek a fine cascade was to be built. East Capitol street was to be a broad avenue lined with arcades and handsome stores, for east of the Capitol was to be the city. Between the Capitol and the White House were to be the gar-

* Aurora, June 23, 1800.

† One of the earliest suggestions for a name for the city occurs in a few lines of doggerel:

"*To the United States in Congress Assembled.*

"The Petition of the Federal City showeth:

"That your Federal City must soon have a name,
And wishes to have one—that may command fame.
To posterity let it be full handed down,
Superior to each paltry city or town;
And to please every son of a great and free people,
Pray let it be christened plain WASHINGTON—OPLE."

New York Journal, August 10, 1791.

dens, and the public buildings, and spacious dwellings for the ministers of foreign states. But, long before this scheme could be perfected, L'Enfant had quarrelled with the land-jobbers, had torn down a house the Carroll family were building across one of his projected streets, had refused to make his plans public, and had been removed from office by Washington.

Andrew Ellicott and his surveyors had by that time made so much progress that the public was invited to send in plans for the Capitol and the President's house. Five hundred dollars, or a gold medal of that value, was offered to the man who should, before the fifteenth of July, 1792, produce the most approved plan for the President's house.* The site of the building, the commissioners hoped, would influence "the aspect and outline of the plan." The purpose for which the house was to be used would "point out the size and distribution of the rooms"; and it would be a great recommendation if the central part could be detached and erected, for the present, as a whole. The prize for the best design for a Capitol was a city lot and five hundred dollars, or a medal. For the next best plan the commissioners would give two hundred and fifty dollars, or a medal. Toward the erection of these buildings Virginia subscribed one hundred and twenty thousand dollars; Maryland gave seventy-two thousand more. The corner-stone of the Capitol was laid, with Masonic ceremonies, in September, 1793,† and the sale of lots then began in earnest.‡ To find men ready to buy and hold for a rise in value was easy. But purchasers willing to expend large sums of money in putting up houses in what was at best a wilderness were difficult to secure. The commissioners, therefore, had resort to that method by which it was the custom to raise money for all manner of public improvements, and, with the help of Samuel Blodget, of Philadelphia, a number of lotteries were planned. Early in February, 1793, the public were informed that the purpose of Federal Lottery No. 1 was to build at Washington what was then commonly called a tavern, but what the commissioners, adopting the new French fashion just

* American Daily Advertiser, March 22, 1792.

† Maryland Gazette, September 26, 1793.

‡ Potomac Guardian, September 30, 1793.

coming in, called a hotel. The lottery was to consist of fifty thousand tickets. Sixteen thousand seven hundred and thirty-nine were to draw prizes, and the others blanks. The first prize was the hotel, a fine structure to cost precisely fifty thousand dollars. All other payments were to be in cash, the sums varying from ten dollars to twenty-five thousand. As the price of a ticket was seven dollars, each adventurer in the lottery, it was said, would, if he got anything, get at least the cost of his venture. The second Monday in September, 1793, was fixed for the drawing, and the promise made that, when built, the keys of the hotel would surely be given to the holder of the lucky number.*

The sale of tickets went on so slowly that, as the day for the drawing came near, some residents of Georgetown combined and bought all the tickets that were yet unsold.† The drawing then came off,‡ and, in time, Blodget's Hotel was put up on the plot of ground since covered by the Post-Office. Two men of means now came forward, bought six thousand lots at eighty dollars, guaranteed to build one hundred and forty houses before the year 1800, and to sell no lots to buyers who would not agree to erect at least one dwelling for every three lots sold them.# In 1794 Mr. Blodget started "Federal Lottery No. 2."

By aid of the money gained, six fine houses were to be built and given, with large sums of cash, as the chief prizes. The number of tickets, blanks, and prizes were to be the same as in Lottery No. 1. But five per cent was to be taken from each cash prize to pay the cost of advertising. Should any money be left over, the National University was to get it all. The drawing, at the very latest, was to begin on December twenty-second, 1794.‖ But December came, and January and February, and still no drawing took place. The public were assured that the sale of tickets had been too small. This was declared to be due to the existence of "three other respectable and similar institutions."^ One was to provide means to build

* See the advertisement in American Daily Advertiser, February, etc., 1793.

† Baltimore Daily Repository, September 16, 1793.

‡ The list of prizes drawn is given in Federal Gazette, October 21 and November 9, 1793. # Annals of Congress. Report of Commissioners, 1796.

‖ American Daily Advertiser, September, 1794. ^ Ibid., April 2, 1795.

piers at New Castle, on the Delaware. Another was to aid the city of Paterson, in New Jersey. The third was for the benefit of the library of Harvard College. Six months passed; the six lengthened into eight, the eight into twelve, the twelve into a year and a half, and the tickets were still undrawn. Indeed, the wheel did not begin to move till the fourth of July, 1796. Even then it turned so slowly that Mr. Blodget and his lottery became the subject of angry ridicule. One hundred tickets, a grumbler said, are drawn each week. In the wheel are fifty thousand tickets. The lottery will therefore be ten years in the drawing. Holders of tickets will do well to mention them in their wills.* But complaints and invective were alike useless. The drawing stopped, and for two years and a half the lottery sank from public view. At last, in the early months of 1799, the holders of tickets once more grew angry and impatient. Mr. Blodget was told that, instead of naming a young son John Adams, he ought to have called the boy Washington Lottery Blodget.† Judging by the progress made in the past, the lottery, it was said, ought to be looked on as a perpetual annuity, a tax on public credulity for the benefit of Samuel Blodget.‡ Another wished to know if the drawing was ever to go on.# A fourth suggested that holders of tickets should meet, name a committee, and bid it find out if the prizes already drawn would ever be paid.‖ The money, said a fifth, is not idle, though it is not likely the owners have any interest in it.^

A traveller who saw Washington city in 1796 declares that, had it not been for the President's house and the Capitol, he would never have known it to be a city. The gardens, the bridges, the canals, the parks marked down upon the plan were still on paper. Such streets as had been laid out were cut through the forest, and reminded him of broad avenues in a thickly wooded park; indeed, he beheld boys shooting partridges in what has since become a great thoroughfare of the city. Some thirty houses clustered near the Point. A few

* Washington Gazette, July 9, 1796.

† Aurora, January 17, 1799. See, also, Aurora, January 31, 1799.

‡ Ibid., February 4, 1799.

Ibid., February 18, 1799.

‖ Ibid., March 15, 1799.

^ Ibid., April 13, 1799.

more were scattered along South Capitol street; a hundred might, perhaps, have been counted elsewhere. The White House he thought well-nigh finished, and pronounced the Capitol in a great state of forwardness.* The wish of the President and the commissioners had been to put up these buildings and a number more without drawing a dollar from the national funds. But the donations received from Maryland and Virginia and the money collected from the sale of lots was spent, and the commissioners in great distress turned to Congress for aid. In a few weeks' time they were given leave to borrow three hundred thousand dollars on the unsold Government lots.

Three hundred thousand dollars! exclaimed the pamphleteers. Here is a fresh "glyster" applied to the back of the national debt! Ninety-seven thousand dollars have gone into the President's house, and as much more is wanted! Eighty thousand spent on the Capitol, and the building scarcely above the foundation-walls! And this wastefulness is encouraged to go on by a Government that cannot raise money to pay the interest on the debts it is each year contracting. Is it the time to varnish the poop when the wind is tearing the shrouds, when the sea is bursting the seams, when the waves are beating in the cabin-windows? Why did a Government loaded down with a debt of seventy millions plunge the citizens into this bottomless pit of lotteries and architecture? Surely the human faculties are as clear on the banks of the Delaware as on those of the Potomac. Was it to obtain "exclusive legislation" over a city? Some day the people would understand what that clause of the Constitution meant. Suppose Pennsylvania had ceded to Congress a district ten miles square and had thrown Philadelphia in. How long would it have been before the ignorance, the caprice, the insolence of the unlimited authority of Congress would have thinned every street in the city? Does any one suppose that, if Congress had held exclusive jurisdiction over Philadelphia, the evening of July fourth, 1795, would have closed with a shower of brickbats? For dismounting and disarming Cap-

* Journal of a Tour in Unsettled Parts of North America. Baily, pp. 126–128.

tain John Morrell, of the China warehouse in North Front street, and flinging him into the frog-pond at Kensington, the people would probably have all been massacred. Selling his sword for sixpence after he would not reclaim it would, in all likelihood, have been declared a high crime and misdemeanor.*

"For the love of modesty," said another writer, "let us hope the Congress House is not to be called a Capitol!" This done, nothing will content our representatives till they have gone a step farther and put on the dress of the French Romans. How pretty they will look in long white robes coming down to their toes, with blue sashes about their waists, scarlet cloaks on their shoulders, and bright-red liberty-caps on their heads! The day the Federal Government is removed to the banks of the Potomac its ruin begins. The fate of every popular government largely depends on the feelings of the people who surround it. Are we ignorant of the disposition of the Virginians? Have we not seen their legislature during this very session urging every State in the Union to help them reduce the Federal Government to a Democracy? Have any among us forgotten the invitation to forcibly oppose the late treaty with his Britannic Majesty? Do we not recall the boast that "one hundred thousand free and independent Virginians" were ready to strike the first blow? When congressmen have assembled at the city of Washington, will not these same free and independent Virginians dictate to them what they shall say and what they shall do? †

With the money thus borrowed the building was hurried on. But Washington, when Oliver Wolcott went there in June, 1800, was scarcely habitable. Near the Capitol, he wrote, was one good tavern. Several other houses were being put up. But he was at a loss to know where members of Congress were to find lodgings unless ten or twenty of them crowded into one dwelling and lived like scholars in a college or monks in a monastery. The houses were mean, most of them miserable huts, and few in any one place. Such of the inhabitants as were not negroes were low and idle characters, giving every

* The History of the United States for 1796, pp. 283–292.

† The Political Censor, pp. 36–49.

indication of intemperance and vice. Thinking the land near the Capitol too valuable to be used for raising potatoes or Indian corn, they neither fenced nor cared for it. One could look over an area nearly as great as the city of New York, yet not see a fence, nor a house, nor anything save a few brick-kilns and a few temporary huts for the laborers. Land was held at twenty-five cents a square foot, and the owners confidently asserted that, even at such a price, the city would have a population of one hundred and sixty thousand in a few years. There was no business, no industry, no society. For such as wished to live comfortably, the only resource was to go to Georgetown, three miles away. And from Georgetown to Washington the road was as bad in winter as the clay grounds near Hartford.*

At the President's house Mrs. Adams found the condition of affairs more discouraging still. On the way from Baltimore to the Capitol the only things seen were a few huts without a glass window, scattered here and there in the interminable woods. The whole city was in woods. Yet hardly a stick was to be had for the fires, for nobody could be hired to cut and haul it. Coals might be secured, but there were no grates. Neither was there a single bell. Yet to keep the house in proper order would require the attendance of thirty servants. She had, she complained, come into a new country.†

Both Mrs. Adams and the Secretary might have found consolation in reflecting that their stay was likely to be short. The President had at last broken with the extreme wing of the Federal party. The ill-feeling that seven months before had sprung up between him and Secretaries Pickering and M'Henry had not been allayed. Some rumors of a quarrel had even

* Wolcott to Mrs. Wolcott, July 4, 1800.

† Morris described Washington justly when he wrote: "We want nothing here but houses, cellars, kitchens, well-informed men, amiable women, and other trifles of this kind to make our city perfect; for we can walk here as in the fields and woods, and, considering the hard frost, the air of the city is very pure. . . . If, then, you are desirous of coming to live at Washington, . . . I hasten to assure you that freestone is very abundant here; that excellent bricks can be burned here; that there is no want of sites for magnificent hotels; that contemplated canals can bring a vast commerce to the place. . . . In short, that it is the very best city in the world for a future residence." G. Morris to the Princess de la Tour et Taxis, December 14, 1800.

leaked out, and appeared in print.* But the rupture did not take place till all the returns from the election in New York were in, and the State was known to have been carried by the Republicans. Then Adams sent for Pickering, accused the Secretary of being deep in a combination to depreciate and injure him and defeat his election to a second term, and bade the offending Minister resign. The clews to the plot were unmistakable. Pickering had signed the joint letter to the President on the suspension of the mission to France. He had spoken in high terms of Hamilton in a report to the House of Representatives. Hamilton had greatly contributed, the President believed, to the success of the Republicans in the State of New York. All these things were to Adams sure indications of the intrigues of his Cabinet. The Secretary of War was also summoned and told that he, too, must resign. Next morning he did so. But Pickering stoutly refused, and, on May twelfth, was dismissed. John Marshall was made Secretary of State. Samuel Dexter became Secretary of War.

The quarrel with the secretaries divided the people politically into what, in the language of the coffee-houses, were termed the Republicans, the Adamites, and the Pickeronians. Each had its own leaders and its own presidential candidate. The choice of the Republicans was Thomas Jefferson and Aaron Burr, and the two were soon formally nominated by a congressional caucus, the second ever held for that purpose in the United States.†

The Pickeronians were the extreme Federalists, to whom the policy of Adams had given offence. They were to be found among the local leaders of the party, the "Essex Junto," as the President named them, and complained of the late mission to France; of the manner of sending it; of the pardon of John Fries, of the dismissal of the secretaries, and of a letter reflecting on the appointment of Charles Cotesworth Pinckney as Minister at the Court of St. James. Pinckney was the man the Federal party wished to see in the

* Aurora, March 6, 1800.

† The first caucus was held by the Republican congressmen in the summer of 1796. Jefferson and Burr were then nominated. The Federal candidate for the Vice-Presidency was Thomas Pinckney.

Vice-Presidential chair. The Pickeronians, animated by bitter hatred, now determined, if possible, to raise Pinckney to the Presidency, and degrade Adams to the second place. To have expressed such an intention openly would have been their ruin. For, in Maryland, New Jersey, Delaware, and four of the New England States, the only States then unquestionably Federal, the influence of Adams was still great and powerful and his name was still held in high respect. They hid their feud, therefore, from the people and carried on their intrigues in secret. Foremost in supporting this dark and crooked policy was Wolcott, still retained by the President as Secretary of the Treasury. Foremost in denouncing it was the dismissed Secretary of War. No man had better reason for hating Adams than M'Henry. Yet, in a letter which does him honor, he turned with loathing from conduct so cowardly and so weak. How, he asked, do the malcontents act? They meditate in private. They write letters. They observe discreet circumspection even in their talk. But they do nothing to spread abroad information, to give a turn to the public mind, to prepare the public for what is to come. If, after all, the party regains its old energy and splendor, can it be ascribed to such cunning, to such paltry, to such back-door ways?

From charges such as these the Republican opponents of Adams were free. No information of which they were possessed was kept secret. Nothing was left undone by them that would give a turn to the public mind. Adams, the people were assured, was a Tory, and the men that supported him a British party. So completely had British gold and British influence won them over that, give them four more years of power, and the Revolution might as well have never taken place. Everything done in England was closely imitated by the faction here. Already the country was cursed with an increasing debt, a standing army, a permanent navy, a Sedition Bill, a window tax, an excise and a stamp tax; every one of them a British measure. Ministers extraordinary were sent from London to dictate the acts of Congress. Hireling printers came over to discover clews, plots, and tub conspiracies; and to hold up to the people the terrors of an invasion by the French. Meanwhile the country was invaded by an army of

paid agents far more dangerous than any the French would ever send.

No man, the Republicans would say, needs to be told that the importance of America to Great Britain as a mart is immense. While the States were yet colonies, Lord Chatham declared if they were suffered to make so much as a hobnail the consequences would be fatal to Great Britain. We are now free to make our own hobnails, but the same power is determined we shall not manufacture our woollen goods. In the western counties of Connecticut sheep-raising was fast becoming profitable. Woollen mills sprang up, and the products of their looms were worn in Virginia and the Carolinas with pride. They will be so no more. British agents have, at great prices, bought up all the sheep, carried them to seaports, there slaughtered them, and sent the flesh, salted, to the West Indian Islands.*

When the Alien Bill was in agitation, the existence of a club of sixty or seventy United Irishmen was urged as a reason for its passage. This was a British measure to prevent English and Irish artisans from staying on our shores. The scheme succeeded. The men left, and not ten days ago a number of frames for weaving stockings, which cost sixty pounds sterling in London, were sold for fifteen pounds, and are now on their way back.† Another skilled artisan has been offered five hundred pounds sterling a year if he will go to Europe and stay there. ‡

Not content with stealing our artisans and our sheep, Great Britain is seeking to deprive us of our citizens. Emissaries are at work persuading them to quit the United States and make Canada their home. The government of that colony, they are told, is mild and humane. There are no Sedition Laws, no taxes, good land, and no prospect of a war. Like the Quakers, the Mennonites are fond of money and adverse to war. Enticed by such glowing descriptions, and alarmed by the assurance that if McKean were made Governor he would send thirty thousand United Irishmen among them and drive them into the Church of Rome, eleven families left Bucks county

* Aurora, January 15, 1800.

† Ibid., January 30, 1800.

‡ Ibid., January 15, 1800.

and went over the border last spring. As many more are even now preparing to follow.*

Excited by such tales, and by the fear of industrial ruin, the men of Bourbon county, Virginia, met at the Court-House and drew up some resolutions which they promised to keep. After the first of April they were determined to buy no imported silks, cottons, woollens, linens, hats, shoes, saddles, sugars; nothing, in short, not paid for in articles grown or manufactured at home. They were also resolved to encourage the breeding of sheep and the growing of hemp, cotton, and flax. As paper was largely imported, rags were to be carefully saved, and butchers and tanners to be urged to keep horns and hides for the manufacture of glue.†

This Republican cry of British faction, British influence, was soon taken up by the President. On the way to Braintree, or, as his enemies put it, his Dukedom, some petulant remarks were dropped which, gathered up and greatly distorted, were spread far and wide. One declared Mr. Adams had been heard to say that the people of the United States would never be happy till they had a hereditary chief. Another claimed to have overheard the remark that, since the mission to France, the Federalists were the most factious men in the country. A third told how the President had said that, if the twelve regiments had been filled and Alexander Hamilton left to command them for two years, the United States would have been forced to gather another army to disband them. A fourth could answer for it that the Executive often asserted that there was a strong British faction in the country, with Liston at the head.‡ Sometimes the names of the Federal heads of the faction were given, and in the lists were always to be found those of Pickering, Hamilton, Wolcott, and the dismissed Secretary of War.

These men, with a few more of the leaders of the Independent Federalists, as they began to be called, spent the summer in making a careful calculation of the party strength, of the chances of choosing Federal electors, of the chances of

* Aurora, January 24, 1800. † Ibid., April 8, 1800.

‡ Ibid., September 6, 1800. See, also, a letter to Hamilton, Life of Alexander Hamilton. J. C. Hamilton, vol. vii, p. 404, ed. 1879.

persuading the electors to unite on Mr. Pinckney, and in exchanging views. In June, Hamilton went on a long tour through the Eastern States, and came home with little hope of success. Strong-minded men in the East not only believed that to elect Pinckney would be easier than to elect Adams, but longed to have it so. The secondary leaders, however, and the great mass of the people, were as devoted to Adams as in the bright days of 1798. New Hampshire would, undoubtedly, cast her votes for Adams. Vermont was doubtful. Connecticut might be counted on as supporting Pinckney. In Rhode Island, as in New Jersey, Burr had been busy with his intrigues. Massachusetts was much inclined toward Adams. In this uncertainty in the East the duty of the Independent Federalists of the Middle States was clear. They must positively refuse to give any support to Adams. Then the other Federal States, alarmed for the success of the ticket, would come over to Pinckney's side.* As for New York, on a joint ballot the Republicans would have a majority of twenty at least.

Bayard made a like canvass of the South. Delaware, he wrote, was safe. Virginia was past salvation. In Maryland, the electors being chosen by districts, three would be secured by the Republicans. North Carolina would give Jefferson seven and Adams five. South Carolina would cast her electoral vote for Jefferson and Pinckney. Georgia, Kentucky, and Tennessee, as everybody knew, were wholly given over to the Republican cause.†

Both Hamilton and Bayard might have spared themselves their journeys, for there were extant a series of documents which expressed, in a manner not to be mistaken, the true sentiments of the two great sections of the country. In obedience to the will of their legislatures, the Governors of Virginia and Kentucky sent out copies of the resolutions of 1798. As to the political doctrines laid down in the resolutions not a State south of the Hudson river, save Delaware, had a word to say. The five New England States, New York, and Delaware alone replied, and the reply of each was a vigorous and unqualified

* Hamilton to Carroll, July 1, 1800; also to Bayard, August 6, 1800.

† Bayard to Hamilton, August 8, 1800.

dissent.* So emphatic was the language that Virginia and Kentucky thought it wise to explain their position, and did so in new sets of resolutions toward the close of 1799.† She was, Kentucky assured the "co-States," unequivocally attached to the compact and the Union, yet she could not be so faithless as to silently acquiesce in the doctrines expressed in their replies. The principles and the construction they contended for, that the general Government was the sole judge of the extent of the powers given it to use, stopped nowhere short of despotism. The several States were sovereign and independent, and had a clear right to judge of infractions of the compact; "that a nullification by these sovereignties of all unauthorized acts done under color of that instrument is the rightful remedy"; that the Alien and Sedition Laws were "palpable violations," and that, while she bowed to them, she did not and would not cease to make a constitutional opposition. Virginia went further, prepared for secession ‡ and an armed defence, laid new taxes, put up an armory at Richmond, drilled her militia,# and, it was popularly believed, as muskets could not be had, used corn-stalks instead.

* Delaware, February 1, 1799; Rhode Island, February, 1799; Massachusetts, February 13, 1799; New York, March 5, 1799; Connecticut, May, 1799; New Hampshire, June 14, 1799; Vermont, October 30, 1799.

† The Kentucky resolution passed the House November 14th, and the Senate November 22, 1799. The word "nullification," dropped from Jefferson's draft of 1798, appears, for the first time, in the Kentucky resolutions of 1799.

‡ Virginia was not the only State in which, in 1800, secession was openly discussed. After holding up the evils likely to come from having a slave-holding President, "Burleigh" goes on to say: "To avoid sharing in these calamities, and, perhaps, with the hope of saving the Government, the Northern States will probably be disposed to separate the Union. This, though an evil of mighty magnitude, is less, far less, than anarchy or slavery. Should such an event take place, where the border States will be is not for me to say. Perhaps the Potomac, the Delaware, or the Hudson, like the Rhine, may part rival, hostile nations, and the shores of one of them be perpetually crimsoned with the blood of the inhabitants." Connecticut Courant, September 22, 1800.

Hamilton to Dayton, 1799.

Also, John Randolph's speech in the United States House of Representatives, 1814, and January 31, 1817: "There is no longer any cause for concealing the fact that this grand armory at Richmond was built to enable the State of Virginia to resist by force the encroachments of the then administration upon her indisputable rights. . . ."

With the knowledge thus gained of the state of feeling in the East and South, Hamilton saw clearly what to do. The attempt to unite the Federal electors on Pinckney must be given up, or the reason for making the attempt must be boldly set forth. Were such a statement to be made, Hamilton, it was equally plain, was the man to write it. This he did. He first addressed a letter to the President. Repeated mention had been made to him that Mr. Adams had declared there was a British faction in the country, that leading Federalists belonged to it, and that, sometimes by name and sometimes by hints, Hamilton had been described as one of them. If this were true, Mr. Adams would surely own to making the charge, avow the reason, and give the grounds for holding such a belief to one who felt aggrieved by the statement. No reply came back, and, while he waited, Hamilton formed a plan of revenge. He would prepare a paper exhibiting the political conduct of the President as he saw it, address the document under his own name to a friend, print it, and spread it far and wide. He was still consulting with Wolcott, Cabot, and Ames,* when a letter Adams wrote eight years before appeared in print.

In May, 1792, Adams wrote a letter to Tench Coxe, at that time his friend, and Assistant Secretary of the Treasury. Pinckney had just been appointed Minister at the Court of St. James. Adams had sought the place, and, in a fit of ill-humor over his disappointment, expressed his feelings to Coxe. British influence, he declared, was the cause of the appointment, and, were he in any executive department, a vigilant eye should be kept on the Minister. This letter, private and confidential though it was, Coxe now most shamefully disclosed. He had already used it to serve two purposes, and was only too glad to have it serve a third. When Duane was indicted for libel under the Sedition Law this letter was loaned him to prove the truth of the charge of British influence. The District Attorney saw the note, appreciated the unfortunate position of the President, and let the prosecution drop. Not long after, the sixth Congress assembled, and manuscript copies of the letter were soon passing about among the members from

* Cabot to Hamilton, August 21, 23, 1800. Wolcott to Hamilton.

hand to hand.* In August, 1800, the Aurora published the letter in full.†

By that time the campaign had begun in earnest. Several pamphlets were already in the windows of the bookshops. The newspapers teemed with abusive articles, with charges and counter-charges, with letters, with everything, in fine, then used as a weapon of political fence. If a Federal judge or senator resigned, if a Federal congressman declined to stand for re-election, he was instantly branded as a rat.‡ The ship Administration, it was joyfully said, is soon going down. See how the rats desert her. The late voyage has been perilous. No small part of the cargo was thrown over to keep the ship from foundering. First to go was Ross's iron machine for forging chains, wheels, and screws. A great part of the army went next. The sailing-master, Timothy Pickering, and M'Henry, captain of marines, followed. The crew were for sending the captain and the Sedition Bill after the army.# But the ship seemed likely to reach port, and this part of the cargo has been spared.

There was another part, however, which the Republicans would gladly have seen thrown over. It was particularly exasperating to think that the man most odious to them, for the

* "Coxe has perfidiously disclosed this letter, and copies are circulating among the malignant and suspicious. This state of things has greatly impaired the confidence which subsisted among men of a certain class in society. No one knows how soon his own character may be assailed." Wolcott to Ames, December 29, 1799.

† The passage making the charge of British influence reads: "The Duke of Leeds once inquired of me, very kindly, after his classmates at Westminster school, the two Mr. Pinckneys, which induces me to conclude that our new ambassador has many powerful old friends in England. Whether this is a recommendation of him for the office or not, I have other reasons to believe that his family have had their eyes fixed upon the embassy to St. James for many years, even before I was sent there, and that they contributed to limit the duration of my commission to three years in order to make way for themselves to succeed me. I wish they may find as much honor and pleasure in it as they expected, and that the public may derive from it dignity and utility; but knowing, as I do, the long intrigues, and suspecting much British influence in the appointment, were I in any executive department, I would take the liberty to keep a vigilant eye upon them." Aurora, August 28, 1800. Coxe had been dismissed by Adams from the place of Supervisor of the Revenue, and this use of the letter was his revenge.

‡ Aurora, August 6, 22, 1800. For a long list of rats, see Aurora, August 23, 1800.

Baltimore American.

moment, was beyond their reach. Adams, they felt sure, was doomed, and when he went out of office his creatures would go with him. But Judge Chase would remain. His office was for life, his health was good, and, unless impeached, he would still be at liberty to bully, insult, browbeat, and sentence every Republican that came into his court. They turned upon him, therefore, with a savageness such as no other man of that day encountered. He was the wicked judge; the American Jeffreys; Shylock's "second Daniel." They cursed him in epigrams;* they gave his name to dogs; they made puns on it; they filled the newspapers with long complaints and letters reciting his crimes, and denounced him as a political mountebank.† The business of the Supreme Court was "hung up," they asserted, while he and his colleagues were busy with the President's affairs. While the Chief Justice was in France, trying to provoke a war with that republic, Chase was crusading through Maryland. What an edifying spectacle to see him mounted on a stump, with a face like a full moon, vociferating in the President's behalf, while the Supreme Court adjourns from day to day till he has disgorged!‡ The people must long for the re-election of the man who has permitted such things to be.

This man Adams, by his violence and his folly, has brought the country, the people were told, to the very brink of ruin. Your grievances are many. Your trade is languishing. Your coin is shipped abroad. British factors are superseding your merchants. British importations are ruining your manufactures.# Your sworn enemies are every day coming upon you

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* One of the least objectionable may be given as a specimen:

"Cursed of thy father, scum of all that's base,
Thy sight is odious, and thy name is ——."

Aurora, August 8, 1800.

Nor did the other justices always escape:

"For alphabetical reform,
Some folks (like Thornton) grew too warm,
And had resolved that C and Q
Should be struck out—I'd strike out too,
But neither Q nor C;
I'd strike out Izard, Jay, and Bee."

† Ibid., August 11, 1800. ‡ Ibid., August 6, 1800.

To the People of New Castle County, Delaware. An election address.

in greater numbers.* Immense public burdens and unnecessary expenses have been laid upon you. Since the hour the Constitution was established you have been paying twenty thousand dollars a day. In eleven years you, the people of the United States, have paid out eighty-three millions of dollars. At the present moment your Government is costing you seventeen hundred dollars an hour. The President's salary, large as it is, and the pay of congressmen, form but a small part of this sum. The Federal City, begun on a plan rivalling the splendor of Babylon, has been a sink for much. Your great men abroad must have pocket-money, and tens of thousands of dollars have gone to them. The army has consumed fifteen millions. The navy seven millions. The Dey of Algiers can account for twenty-four thousand a year more. "Millions for defence," say your oppressors, "but not one cent for tribute!" When Republicans complain of the immense outlay for the army, the navy, the diplomatic corps, the British Treaty, and the Algerine tribute, they are told these things are necessary to commerce, and commerce is the handmaid of industry. But these smooth-tongued Federalists well know that the army and the navy are the instruments of tyranny. The man who holds a supreme court in the cabin of his ship, lays the death sentence, and hangs his fellows by the dozen to the yard-arm for crimes which, in civil life, might cost the offenders a fine of seven dollars, cannot have any respect for the people. The man who sharpens his appetite for breakfast by seeing one hundred lashes laid on half a score of soldiers for speaking lightly of some upstart adjutant, some cousin of some influential personage, can have no respect for the people. They are to him the "swinish multitude." Martial laws are fatal to freedom.†

Not content with attacking your civil, the British faction now threaten your religious liberty, your right to worship as you please. The Federal power has been concentrated in Massachusetts and Connecticut to the exclusion of the Middle

* Independent Chronicle.

† See An Oration on the Extent and Power of Political Delusion; Delivered in New Haven on the Evening preceding the Public Commencement, September, 1800. Bishop.

States. The President, the Secretary of the Treasury, the Secretary of War, the Chief Justice, one of the justices, the Ministers to England, to Spain, to Prussia, and the first-named of the envoys to France, are all from New England.* Can you call off this list without alarm? New England is the home of religious bigotry, of persecution, of the Illuminati.†

Begotten at the College of New Jersey, this odious society was reared in Connecticut, and confirmed, on its maturity, at Dartmouth and Yale. Educated in these colleges, its progeny has gone forth to spread tyranny and oppression over all the States. They have seized on the institutions and methods of education, pillaged the Episcopal churches in the five Eastern States of their property, and secured land grants and money from State Legislatures to further their unjust and party measures. They have waged war against other sects, sent missionaries to break up the peace between the settlers in Vermont and in New York, anathematized the Church of Rome, and, in sermons, prayers, and lectures, likened her to Babylon and Antichrist, which are to be destroyed. They have espoused the political system of terror, and given support to men charged with the breach of every precept in the decalogue. They have approved excessive taxation, costly fleets, useless armies, and a Sedition Law.‡

By the constitutions of Massachusetts and Connecticut, ministers of the Congregational Church are suffered to seize and sell the food, clothing, furniture, horses, cattle, and farming utensils of any man who dissents from their mode of worship or differs from them in religious belief. It is an insurmountable objection to the re-election of John Adams that such of his judges, ministers, and officers of state as are from New England are in full union and membership with the Congregational Church, the church which commits such acts of oppression on other religious sects.# Intolerance is ingrained in New Englanders. Remember the Blue Laws, many of which are yet in force. Remember the persecution of the Quakers. At Harvard College, Governor Dudley established a lecture. Is it for the purpose of spreading scientific knowledge, or

* Aurora, September 6, 1800.
† Ibid., September 6, 12, 1800.
‡ Ibid., September 24, 1800.
# Ibid., September 6, 1800.

awakening in the mind of youth a love of literature and the arts? No. The lecturer is, every year, to denounce popery and the Church of Rome. The Governor, the Lieutenant-Governor, the Congregational clergy of Boston, of Roxbury, of Dorchester, Charlestown, and Cambridge are trustees. Yet they have never yet attempted to have the lecture stopped.*

In Maryland is another college.† But it is managed in that liberal spirit which has ever distinguished sects in the South. There no religious tests are used, and not long since it did honor to the great man whose name it bears by conferring the degree of Doctor of Divinity on the Bishop of the Roman Catholic Church.‡ Such is the difference between the East and the South. Mr. Adams would join Church and State, set up an established hierarchy, and rule us by priests. Mr. Jefferson would have every man worship as he likes. Nay, was it not his brain that framed, and his pen that wrote, the sublime truths and inspired language of the ever-memorable "act for establishing religious freedom" in Virginia? For this a canting, political parson has called him a deist. Let him be named a wizard, and there will be people credulous enough to believe it.

The charges of infidelity brought against Jefferson rest partly on passages found in his book and partly on stories spread abroad by his foes. He has denied that shells found on the mountain-tops are proofs of the great flood. He has declared that if the contents of the whole atmosphere were water, the land would only be overflowed to the depth of fifty-two and a half feet. He does not believe the Indians emigrated from Asia. He insists that the negroes are a specially created and inferior race. Instead of placing the Bible and the Testament in the hands of children, he would store their minds with the useful facts of Greek and Roman history. He has impiously written in his "Notes": "It does me no injury for my neighbor to say there are twenty Gods, or no God. It neither picks my pocket nor breaks my leg."# But it is not

* Aurora, Sept. 8, 1800. Baltimore American. † Washington College. ‡ Ibid.

Serious Considerations on the Election of a President; Addressed to the Citizens of the United States, 1800, pp. 6, 16, 17. The Voice of Warning to Christians on the Ensuing Election of a President of the United States, 1800.

in his book alone that his hatred of Christ and his Church is betrayed. His daily speech is that of an infidel. The Rev. John B. Smith, of Virginia, once had the famous Mazzei for his guest. The talk ran on religious topics; Mazzei made no secret of his infidelity, and, when Dr. Smith remarked it, exclaimed: "Why, your great philosopher and statesman, Mr. Jefferson, is rather farther gone in infidelity than I." On one occasion the same Mazzei expressed surprise that the people of Virginia should suffer their public buildings to fall into decay. "What buildings?" said Jefferson. "Why, their churches," Mazzei replied, pointing at one as he spoke. "It is good enough," said Jefferson, "for him that was born in a manger." And this is the man who now seeks for the suffrage of Christian people! Elect him, and the character of the United States will sink in the estimation of every foreign people. At home religion will be destroyed. Immorality will flourish. The very bonds of society will be loosed. His admirers tell us he is a man of too much genius to meddle with the religious opinions of others, or attempt to spread his own views. What assurance have we? What said Hazael when told of the crimes he would commit? Did he not cry out in indignation, "Is thy servant a dog, that he should do this great thing?" Yet he did it. No man knows what an infidel President will do till the opportunity to act is given him.

To these serious considerations five serious facts* were opposed. There was a monarchical party in the United States, with Hamilton and Adams at the head. There was a British party in the United States, with Pinckney at the head. Pinckney was a deist. Jefferson was as good a Christian as Adams, and, in all likelihood, a much better one. Nothing but the election of Jefferson could save the Constitution and make sure the liberty of the people.

The evidence, it was said, going to prove the existence of a monarchical party was simply overwhelming. Hamilton had urged a monarchy in the Federal convention. He was for having the State Governors appointed by the President, not elected

* Serious Facts, opposed to "Serious Considerations;" or the Voice of Warning to Religious Republicans. October, 1800, p. 2.

by the people. This would have made them creatures of the Executive, and set up a consolidated monarchy. When Luther Martin went back to Maryland, did he not tell the Legislature that there was a monarchical party, with Hamilton for leader? Why were all the papers of the Convention sealed and never yet disclosed? Had everything been fair and honest, had no thought of a monarchy existed, would such concealment have been necessary?*

Notwithstanding this notorious fact, Hamilton was given a high place under the new Government. Why? That he might become the father of the funding system and the national debt. What could these do? Establish monarchy. The genealogy of the business is this: The funding system begets and perpetualizes the debt. The debt begets intrigue, offices, and corruption. From these come taxation. Taxation begets the treasury. The treasury begets a swarm of Pickerings and Daytons. Pickerings and Daytons beget a standing army. A standing army begets monarchy, which enslaves and ruins the people.†

Do not the Federal leaders tell you the country is too large and too populous for a republican government? Why do they say this? To pave the way for monarchy. John Adams says the British constitution is the most stupendous fabric of human invention. What does he mean? Why, that the British constitution is better than our own. Why is it better? Because it provides for a House of Lords and a King.‡

Some months ago Hamilton made a journey eastward. There he was feasted and toasted. Once, after drinking his favorite toast, "A strong Government," which is modern cant for monarchy, he exclaimed: "If Mr. Pinckney is not elected President, a revolution will be the consequence, and within the next four years I will lose my head or be the leader of a triumphant army." Will a free people brook this threat? If Jefferson be chosen, will this Federalist raise an army and deluge the country in blood? Who is this Hamilton that dictates to the United States? He is a disorganizer, a Jacobin, and, unhappily, he is not alone. Signs of the existence of a British party are on every side. Have not the measures of Govern-

* Serious Facts, etc., pp. 2, 3. † Ibid., p. 4. ‡ Ibid., p. 5.

ment for six years past been partial to England? Does not the British treaty give to England much that is denied to France? Are not Federal prints full of praises of Pitt? Why is Pickering so intimate with Liston? Why was Peter Porcupine, a British printer in British pay, suffered to publish a British newspaper at the seat of Government, and revile the French, their Revolution, republicanism in general, nay, even the citizens of the United States? Because there is a strong British party in the country. Mr. Adams has said so in his letter to Tench Coxe. He had long been an ambassador to England. He well knew the intrigues that were practised. He has stated that British influence secured the appointment of Pinckney as his successor. He had the best opportunity of judging. His evidence is decisive.*

Ten years ago Timothy Dwight, of Connecticut, denounced Charles Pinckney as a deist; nay, called him one in the poem "The Triumph of Infidelity." Two weeks ago the pious Dr. Linn, whose "Serious Considerations" are now in every Federalist's hands, openly declared Mr. Pinckney is a deist. After this, can we believe that Dwight, Linn and Company are really actuated by religious motives? Why do not these divines raise "The Voice of Warning" against Pinckney the deist, against Adams the monarchist, against Hamilton the confessed adulterer? †

It might have been said that with Adams there was no need of doing so; that Alexander Hamilton had made the task of writing down the President his own. During two months he had patiently waited for an answer to his letter of August first. But none had come, when, on October first, he wrote again. This, too, remained unanswered, and in a little while a "Letter

* Serious Facts, etc., pp. 7, 8.

† Ibid., pp. 10, 11, 14. For other pamphlets supporting Mr. Jefferson, see A Test of the Religious Principles of Mr. Jefferson, 1800. A Solemn Address to Christians and Patriots upon the Approaching Election of a President of the United States; in answer to "Serious Considerations," 1800. Address to the People of the United States; with an Epitome and Vindication of the Public Life and Character of Thomas Jefferson, 1800. This is the earliest campaign biography. Opposed to Jefferson, see The Voice of Warning to Christians on the Ensuing Election of a President of the United States, 1800. The Claims of Thomas Jefferson to the Presidency, examined at the Bar of Christianity. By a Layman. And Strictures on the Letters to Philip Mazzei.

from Alexander Hamilton concerning the Public Conduct and Character of John Adams, Esq., President of the United States," came out. The plan of Hamilton was to print it privately and send copies to men whose good will and influence were necessary to secure Pinckney's election to the presidential chair. But his scheme was defeated, for scarcely had the printer put the pamphlet in type when a copy was procured from the office, carried to Burr, extracts prepared, and sent off at once to the chief Democratic newspapers in the States.*

The letter contained some interesting political confessions, and went over the public life of Adams from the beginning of the War for Independence to the day when he drove the secretaries from his Cabinet in a rage. He told how and why he once diverted votes from Adams for President,† and once attempted to secure for Pinckney at least an equal support. He denounced the President as a man of disgusting egotism, of distempered jealousy, of ungovernable indiscretion of temper, and of unsound maxims of administration.‡ One cause of discontent with him was declared to be the sentiments expressed

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* "Colonel Burr ascertained the contents of this pamphlet, and that it was in press. Its immediate publication he knew must distract the Federal party, and thus promote the Republican cause in those States where the election had not taken place. Arrangements were accordingly made for a copy as soon as the printing of it was completed; and, when obtained, John Swartwout, Robert Swartwout, and Matthew L. Davis, by appointment, met Colonel Burr at his own house. The pamphlet was read and extracts made for the press." Life of Aaron Burr. M. L. Davis, vol. ii, p. 65. Mr. John C. Hamilton declares that Davis obtained the pamphlet from the printing-office.

† "But it was deemed an essential point of caution to take care that accident or an intrigue of the opposers of Government should not raise Mr. Adams, instead of General Washington, to the first place. This every friend of the Government would have considered as a disastrous event, as well because it would have displayed a capricious operation of the system in elevating to the first station a man intended for the second as because it was conceived that the incomparably superior weight and transcendent popularity of General Washington rendered his presence at the head of the Government in its first organization a matter of primary and indispensable importance. It was therefore agreed that a few votes should be diverted from Mr. Adams to other persons, so as to insure to General Washington a plurality." Letter from Alexander Hamilton concerning the Public Conduct and Character of John Adams, Esq., President of the United States. New York, 1800. First edition, pp. 8, 9. For the conduct of Hamilton at the election of Adams to the Presidency in 1796, see pp. 11, 12, 13.

‡ Ibid., p. 12.

in the famous letter to Tench Coxe.* But the head and front of his offending was his conduct in the affairs with France.† The whole matter was passed in review: the rejection of Pinckney, the rejection of the three envoys, the declaration of Adams to the Cabinet that if France sent a minister one day he should be sent back the next, the sudden change of mind, the assurance to the Congress that should France give promise of receiving a minister one should be sent, the French negotiation with Vans Murray, the appointment of three more envoys, and the famous Trenton meeting, were each described and explained. The dismission of the secretaries, who, because they could not rule the President and plunge the country into a war with France, had been sulking and moping and treating Adams "with great dryness," was declared to be traceable to his jealousy, his egotism, his ungovernable temper. The pardon of Fries and his companions was pronounced at variance with sound policy, a piece of temporizing,‡ and due to "some system of concession to his political enemies."# This charge was, to say the least, foolish and inhumane. The hot-water war was not even a formidable riot. The pardon of the leaders was just, and does honor to Adams's head and heart. His example has ever since been followed, and the conduct of our Republic toward its political enemies is something of which every citizen may well be proud.

The letter ended with a plea for the equal support of Adams and Pinckney.‖ The Republicans read it with delight, and pronounced it the best lampoon of the campaign. Have we not, it was asked, a Sedition Law? Did not Hamilton, with the aid of it, punish a poor type-setter at New York for accusing him of trying to purchase and suppress the Aurora? Can he hope to escape? What a sight it will be to see the head of the British faction defending himself from a charge of libel on the President of the United States!

Such a sight might well have been expected. Had Thomas

* Letter from Alexander Hamilton, etc., p. 14. † Ibid., p. 20.

‡ "It is by temporizings like these that men at the head of affairs lose the respect both of friends and foes; it is by temporizings like these that, in times of fomentation and commotion, governments are prostrated which might easily have been upheld by an erect and imposing attitude." Ibid., pp. 44, 45.

Ibid., p. 44. ‖ Ibid., p. 51.

Cooper, or James Thomson Callender, or William Duane put forth a pamphlet half as savage, he would in a few days have been safely lodged in the jail. And so would Hamilton have been had the Sedition Law been passed for an honest purpose, and not to meet a party need.

No notice was taken of the letter by Adams. But a number of replies were soon hanging in the windows and lying on the shelves of every Republican book-store. A Letter to General Hamilton, occasioned by his Letter to John Adams, was thought to be the work of Noah Webster. A Citizen of New York prepared An Answer to Alexander Hamilton's Letter. A third writer made A Free Examination of the Morals, Political and Literary Characters of John Adams and Alexander Hamilton. One bookseller announced the Last Speech and Dying Words of Alexander Hamilton. From the press of the Aurora came Hamilton's Last Letter and His Amorous Vindication.

Men of lesser note meanwhile were dragged forward and publicly reviled. The Republicans abused Mr. Abercrombie. The Federalists could hardly find words to express their contempt for Tench Coxe. Mr. Abercrombie was rector of St. Peter's Church at Philadelphia, and, in a sermon, had plainly alluded to Jefferson as a deist. For this he was at once named the Political Parson, the Canting Parson, a Sap-skull, a man ready to do anything for money, and accused of seeking the office of Treasurer of the Mint after he had taken orders.* In return for these attacks the Federal prints reminded the

* One of the catches in which he was derided runs:

"A Parson I am, so mind what I say:
In the Church of St. Peter I preach and I pray,
In my black gown and cravat so white.

"Sage Demo's and Tories, I pray you take heed,
And I'll give you a sketch of my time-serving creed—
For my creed it is Cash, and my stipend salvation,
For which I'd destroy all the hopes of the nation,
In my black gown and cravat so white.

"I believe TOLERATION'S a very great evil,
For which THOMAS JEFFERSON goes to the devil;
The nation that chose him is CURSED of HEAVEN—
My reasons for this in the pulpit I've given,
In my black gown and cravat so white."

public of the crooked career of Mr. Coxe. How that he was a violent Whig in 1775, and a very moderate Whig after the Hessians reached New York in 1776. How when the British overran New Jersey from Paulus Hook to Trenton he became a Tory, and, with one Andrew Allen, went over to the King, landed with the expedition at the head of Elk, marched in triumph over the field of Brandywine, and led the British army into Philadelphia amid loud huzzas for King George. How in 1778 he again became a Whig; how Hamilton made him Supervisor of the Revenue, and how Wolcott discharged him for bearing tales to the printer of the Aurora.* In revenge for this he had, it was said, given the old letters of Adams to the Aurora. He was a pretty fellow to exclaim against British influence; he, the guide of the British soldiers on their march to his native town!

The Baltimore American copied the letter from the Aurora, the Charleston Gazette copied it from the Baltimore American, and in the Gazette Thomas Pinckney read it for the first time. He at once assured the public that it was either a forgery for election purposes, or founded on a misapprehension.† He then wrote to Adams, assured him that the charge of British influence was untrue, hoped, if the letter were a forgery, the President would declare it so, or, if genuine, state the grounds for his belief. Though the letter of Pinckney was dated the sixteenth of September, not till the twenty-sixth of October did it come to the President's hand. That night he answered it, and the evening newspapers of the following day contained the reply in full.‡ The letter to Coxe was pronounced authentic, the charge of British influence retracted and explained, and high praise bestowed upon Thomas Pinckney and Charles Cotesworth Pinckney, the two men maligned.

By this time the choice of electors of President and Vice-President had begun. In Pennsylvania the matter provoked a bitter contest, which lasted almost to the day whereon the electors met. The Legislature, which had adjourned in the spring, had rejected a bill to district the State.

* Custos. Gazette of the United States, November 4, 1800.

† Thomas Pinckney to the editors of the Charleston Gazette, September 15, 1800.

‡ Gazette of the United States, October 27, 1800.

Nothing had been put in its place, and, when the Houses assembled again in November, no time was left to prepare general tickets and submit them to the popular will. It was plain, therefore, that the Legislature must choose the electors, or Pennsylvania would have no presidential vote. Each party was loath to have this occur. But to agree upon a plan to avoid it was difficult, for the House of Representatives was Democratic and the Senate Federal by a majority of two. The first bill was framed by the House, and provided that the fifteen electors should be chosen on a joint ballot. The Senate rejected this, and sent down a new bill requiring the Senate to name seven and the House eight. This, in turn, the House rejected. A conference was asked, committees were named, and for two weeks all manner of suggestions were discussed. At one time it was proposed that each branch should prepare a list of fifteen names, and from the thirty, by joint ballot, elect fifteen. Then eighteen were substituted for the thirty. But the thirteen Federal senators would not yield. They were exhorted to stand firm and beware. Threats, they were assured, had been made by the Republicans that they should be put out of the way. Look around, it was said; mark well. Be cautious when a stranger approaches. Keep in-doors at night, for deeds of darkness are then performed. Give no heed to letters informing you of deaths in your family and calling you home.* At last, on the second of December, a compromise was arranged. Each House appointed eight, fifteen were chosen by a joint vote, and of these the Federal Republicans secured seven.

Two days later the electoral colleges assembled in each State. On the eighth of the month the votes of Pennsylvania, Maryland, and New Jersey were known at Philadelphia, and the ballots then stood: nineteen for Adams and Pinckney, thirteen for Jefferson and Burr. Republicans claimed that they would surely have secured another elector in Maryland had not the Federalists, in a strong Republican district, fired the woods on election-day, and so kept the farmers from the polls. On the ninth the returns from Delaware and Connecticut added twelve to the Federal, and the returns from New York twelve to the Republican score. The rage of Burr when he heard this

* Gazette of the United States, November 17, 1800.

must have been great, for pains had been taken to persuade one of the New York electors not to write the name of Jefferson on the ballot he cast. The following day Massachusetts was heard from, and on the next it was known that Virginia had given her twenty-one votes for the Republican candidates. The ballots now stood: Adams, forty-seven; Jefferson, forty-six. The excitement became intense. The country, exclaimed the Federalists, has been saved by the firmness of Pennsylvania's noble thirteen. They have rescued the States from the Jacobins. Thirteen is indeed an auspicious number for America. Thirteen States declared Independence and formed a temporary Union, which, thirteen years later, gave place to that glorious Constitution thirteen Federal senators of Pennsylvania have saved from Jacobin hands. But their joy was ill-timed. With the sixteenth of December came the vote of South Carolina, and every Federalist at once saw that all hope of carrying the election was gone. For a few days it was thought that in South Carolina one elector had given his suffrage to Clinton and taken it from Burr. But this report was soon corrected, and, with two Republican States to hear from, the electoral vote summed up sixty-six for Jefferson and Burr, sixty-five for Adams, and for Pinckney sixty-four.

The news from South Carolina reached Washington on December thirteenth, and gave Jefferson just cause for alarm. He had no longer any doubt that Adams was defeated. But he had much reason to doubt whether the victory was with him or with Aaron Burr. It was as certain as anything human could be that, in his own language, "an absolute parity" existed between them. The representatives had, therefore, become the electors, and could any man say what they would do? Was it not likely every Federalist in the House would give his vote and exert his influence for Burr? Nay, might not the Republicans of New York desert him and seek to raise to the Presidency a man the people did not wish to see in the chief seat?

So strong was the probability of this defection that Jefferson took steps to prevent it. A majority of the ten men New York sent to the House were Republicans, and the one man to whom these Republicans looked up with profound respect was

Edward Livingston. To bribe him directly with the offer of a place would have been impossible. But to gain his influence by bestowing a Cabinet seat upon his brother was what Jefferson undertook to do. This brother was Robert R. Livingston, then Chancellor of the State of New York, but now remembered for the aid he gave to Fulton, and the great things he did in promoting the propulsion of ships by steam. To dabble in what was called philosophy, to have a theory about the bones of the "incognitum," to be interested in fossils, to talk learnedly about lunar eclipses and the cause of heavy winds, was a fashion with most men of wealth and leisure. Jefferson did so, and Madison and Robert Livingston, who gave both time and money to the study of the uses of the steam-engine and of steam. In truth, he had written a paper on the steam-engine, which, Jefferson informed him in a letter dated the fourteenth of December, had been laid before the American Philosophical Society, and was soon to appear in print.* The writer then expressed a lively wish to hear more about some huge bones lately discovered. Could they be those of the mammoth? What particular bones were they? Could he buy them? Gladly would he pay any reasonable price, place the money at New York as quickly as the post could carry it, and bear the cost of package and of transportation. All this by the way, for a yet more important matter remained, and this matter was the election. The Constitution was meant to be republican. Yet it had been so construed and administered as to be, what the French had named it, a monarchic masque. So long had the ship of state been trimmed and run in this evil way that to put her on a republican tack would require all the skill, all the firmness, all the zeal of her best and ablest friends. Nor would men of skill be sufficient. They must, wrote "the Man of the People," the fierce hater of aristocrats, they must be men of family also. In the Cabinet of the new administration must be those whose talents, whose integrity, whose high Revolutionary names would fill the people with confidence and lay an awful silence on the maligners of Republicanism. Such characters were few; so few that Robert

* The minutes show that on March 1, 1799, R. R. Livingston presented a paper on "An Improved Steam-Engine." This was never printed.

R. Livingston could not be left off the list. Would he therefore become Secretary of the Navy?*

This letter finished, Jefferson wrote to Burr. Georgia and South Carolina and Tennessee, Burr was assured, would each withhold from him one vote. The business was badly managed. It was a shame to have left to hazard what might have frustrated half the Republican wish. As it was, he would still have four or five votes over Mr. Adams, and was to be congratulated.† A week later, when Burr replied,‡ Georgia had been heard from, the vote of South Carolina corrected, and every possible doubt removed that the result of the election was a tie.

The rapture of the victorious party swelled high. Republican festivals became the fashion of the day. Republican songs and shouts were heard in the streets and taverns of every city, and along the highways that led to every market-town. The kingdom of the beast was at an end. Truth and Moderation and Justice, Republicanism and the voice of the people, had triumphed. On the first of January a great festival was held at Lancaster. Another took place at Easton on the third of the month, when a hill that overhung the Bushkill was named Mount Jefferson. The same day a yet more splendid gathering met in the Green Tree Tavern at Philadelphia to hear speeches, drink toasts, and sing "Jefferson and Liberty"# till they were hoarse. A fourth festival came off at Carlisle. In the same newspapers that described these rejoicings were squibs

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* Jefferson to Livingston, December 14, 1800.

† Jefferson to Burr, December 15, 1800.

‡ Burr to Jefferson, December 23, 1800.

One stanza of this famous song is:

"Calumny and falsehood in vain raise their voice
To blast our Republican's fair reputation;
But Jefferson still is America's choice,
And he will her liberties guard from invasion.
'Tis the wretches who wait
To unite Church and State,
That the names of McKean, Burr, and
Jefferson hate.
But ne'er will the sons of Columbia be slaves
While the earth bears a plant or the sea rolls its waves."

See, also, for a slightly different version, Political Magazine, November, 1800.

ridiculing the fall of Adams and the long, wry faces the Federalists wore. "Dicky Strop" informed the friends of the Essex Junto that he was under the necessity of putting up the price of shaving: their faces, since the news from South Carolina, had become so immeasurably long. Another wit advertised a few mourning cockades for sale. Nor were the Federal prints less bitter.

During the Republican rejoicings at Pittsfield, in Massachusetts, the church-bell was rung so vigorously that it broke. Never mind, said an Adams newspaper, the church will soon be indemnified by gold from the sale of one of Jefferson's negroes, or by a check on Burr's Manhattan Bank. Gentlemen, another asserted, who invested their all in Virginia fine-cut are much disappointed at the prospect of being forced to accept Burr-middlings. The Washington Federalist reversed the eagle and under it put the motto, *Pluria e Uno.* From Connecticut came a story of an incident said to have happened at the Hartford frog-pond. After the election the frogs had determined to have a civic feast. When they had sung "The man of the people, the man of the people," for some time, an old bull-frog that had survived the cold Federal frost of December croaked out, "Colonel Burr, Colonel Burr," and instantly there was dead silence in the pond. The Sun of Federalism, a town orator declared, is soon to set forever. When it does, was the reply, there will be but one party in the land, and that will be called the Lunatic, being under the influence of the Moon of Democracy. Then the Eagle of Freedom, that once soared toward the Federal Sun, will retire to its nest, and the Owl will take its place. A certain coin, too, will change its name, and thereafter be known as the Owl. Is it not a riddle that an atheist has been chosen chief magistrate of a Christian people? Is it not a riddle that John Adams, who rocked the cradle of republicanism; who was so active in separating the colonies from Great Britain; who, on two embassies, courted the friendship of her enemies, should be accused of sympathy for the British cause? However painful the thought may be that America is to be ruled by a Jacobin, there is still one consolation left: the administration will not be costly. No good Democrat can admit for a moment that either of those plain

Republicans, Citizen Jefferson or Citizen Burr, will wish for the same expensive and extravagant establishment that has been allowed the aristocratic and monarchical John Adams. To them the splendor of a drawing-room is as repulsive as the gloom of a bastile. Economy, we have been told, economy, economy, is the vital principle of republican government. We shall therefore expect from our new rulers an immense saving in the expenditure of the people's money. Ever since the first Congress the Demos have cried out against the high wages of the servants of the People. Surely they have not made all this noise merely to get into place? They will, of course, at once begin to practice that economy they have so long preached. Mr. Jefferson, to begin with, will give up half of the salary allowed him by law. He always thought twenty-five thousand dollars a great salary when Mr. Adams had it. Now he will undoubtedly think twelve thousand five hundred enough. Monticello is not far away; he can easily send home his clothes to be washed and mended; his servants he owns, and his vegetables he can bring from his estate. Mr. Burr will also consent to a reduction, for he is a little man and at no great expense for clothes.*

This, said another class of Federalists, is too hasty a judgment. We are not so sure that these gentlemen are to be our rulers. The vote of eight States is necessary to a choice, and the vote of eight States Jefferson cannot have. He comes from the South; he is hostile to the measures of commercial defence; he will therefore be opposed by Massachusetts and New Hampshire, Rhode Island and Connecticut, South Carolina and Delaware. Maryland sends eight representatives, of whom five are Federalists, and they will either support Burr or be divided, and the State cast no vote. Nor is it likely that Vermont will have a ballot; for it is folly to suppose that her two representatives can ever agree. New Jersey is uncertain, but may be counted as supporting the pretensions of Aaron Burr. Thus, of the sixteen States, seven are surely for Jefferson, six are surely for Burr, and two will have no vote at all. This gives rise to a case for which the Constitution does not provide, and the Government must end. Hitherto the

* New England Palladium, March 20, 1801.

Vice-President has, shortly before the close of the session, resigned his seat, that the Senate might choose a President *pro tem.*, to succeed to the powers of the Vice-President should the President-elect die. Jefferson must follow this custom, quit the Senate in February, and, the House making no choice, the Government will be without a head. Superstitious people were then bidden to recall the signs and portents of which of late there had been so many. Every mail from the South brought accounts of rumblings and quakings in the Alleghanies, and strange lights and blazing meteors in the sky. These disturbances in the natural world might have no connection with the troubles in the political world; nevertheless, it was impossible not to compare them with the prodigies all writers of the day declare preceded the fatal Ides of March.

The sober-minded in the community laughed at these fears. An election, they insisted, would surely be made, and that election would be carried by Burr. New England would vote for him. The men of that section had still faith to believe that a good tree cannot bring forth bad fruit. They believe the stock from which Jefferson sprang is bad, because his works are known to be so. They believe, whatever Burr may be reported to be, he will eventually turn out good. Is he not the grandson of the dignified Edwards, the luminary of American divinity? Is he not the son of President Burr, a burning and a shining light? Is he not far above the Virginian in acuteness of discernment and in knowledge of financial affairs, in military skill, in breadth of view, in capacity for arrangement, in decorous manners, in address? Can such a tree bring forth bad fruit?

Advice of this kind was to be expected from the people and the press; but not from the men whose duty it now became to choose a President. The Federalists had been defeated by eight electoral votes. They were cut off by the Constitution from every possible hope of electing their men. They had nothing to do but to choose between Jefferson and Burr. There was no occasion for any constitutional difficulty; the path for them to take lay right before them. No man of either party doubted, or pretended to doubt, that the wish of every Republican was and had been to make Jefferson the next

President. Had the Federal representatives in Congress, therefore, been the honest patriots they pretended to be; had their dread of rebellion been real, and not the idle trumpery of a heated campaign, they would, when the time came, every man of them, have repaired to the House of Representatives and promptly voted for Thomas Jefferson. But these Federalists, who for eight years had been accusing the Republicans of seeking to introduce the revolutionary principles of France, now attempted, from pure political malice, to involve the country in a civil war. Their first plan was to hinder any election, and leave to the Senate the duty of electing the Chief Justice, or some senator, President till Congress met again, or till a new election could be held by the people. Their second plan was to elect Aaron Burr.

At this conduct the Republicans were rightfully enraged. Jefferson begged Adams to veto any attempt to set up a temporary President; but Adams was as malicious as any Federalist could be, and refused. Then, driven to desperation, the two men foremost in defending the strict construction of the Constitution rushed to the very opposite extreme. It is hard to read without a smile that Jefferson, the father of nullification and secession, and Madison, his great disciple, proposed that the Constitution should be, for once at least, most liberally construed. They would have the two contestants for the Presidency summon the new Congress by a joint proclamation. To do this they had, by their own logic, no right whatever. The Constitution gave them no such power, "and powers," wrote Jefferson, in the Kentucky resolutions, "not delegated are reserved to the States." "The proceeding," Madison admitted, would not be "strictly regular," but "the irregularity," he wrote, "will be less in form than any other adequate to the emergency, and will be in form only rather than in substance." * Was this Republican doctrine; the doctrine of the resolutions of Kentucky and Virginia? That the man who wrote the "Letters of Helvidius," who denounced Mr. "Hamilton's heresies," who accused Washington of violating the Constitution, should have used such language is a bitter comment on his political honesty. In 1793 Madison and Jefferson

* Madison to Jefferson, January 10, 1801.

pronounced the proclamation of neutrality unconstitutional, because the President was not expressly authorized to decide on war or peace. In 1801 Madison and Jefferson were for a joint proclamation to the new Congress, not because the Constitution sanctioned it, but because it was "adequate to the emergency." Now for the first time the principles of these two men were sorely tried, and each most shamefully recanted.

While the leaders were thus preparing to resort to illegal ways, it is not surprising that the people were preparing to resort to force. Federalists were plainly told that, if Aaron Burr were made President, the Republicans would arm, march to Washington, depose the usurper, and put Jefferson in his place. They were cautioned to reflect; to forbear their menaces; to remember that the tumultuous meetings of a set of factious foreigners in Pennsylvania, and a few fighting bacchanals in Virginia, were not to dictate to Congress. What, they were asked, could Virginia do, even if she were helped by Pennsylvania? Bring her militia, ill-trained and farcically performing the exercises of the manual with corn-stalks for muskets, face to face with the seventy thousand regulars of Massachusetts, with the citizens of New Hampshire united to a man, and with half the citizens of other States ranged under the Federal banner, and what would be the issue of the struggle? If the woful experiment were ever to be tried at all, it could never be tried at a more favorable moment.*

With the charge of seeking to hinder an election and destroy the Republic, the Republicans now mingled two others. The first was that of burning the public records. No sooner had Pickering and M'Henry been driven from the Secretaryships of State and War than the Aurora asserted that abuse of office was the real cause of removal; that there was in the hands of Pickering a balance of half a million unaccounted for, and supported the assertion by the publication of accounts obtained from a clerk in the Treasury Office. Wolcott, who succeeded Pickering, denied this. The accounts of the late Secretary had all been presented, and would be settled as soon as the office opened at Washington. The removal began in

* Washington Federalist, February 12, 1801.

June, and early in November every book and paper in the office of the Secretary of War was burned. In January Wolcott resigned, and Dexter was transferred from the War Office to the Secretaryship of the Treasury. But he had scarcely begun his duties when his promotion was again followed by a fire, which, in the language of the Aurora, was soon known as Federal Bonfire Number Two. The account which the Republicans declared to be the only true version of the affair was told in a newspaper called The Cabinet, printed at Washington, and owned by a son of the famous Matthew Lyon. Late on the afternoon of January nineteenth, 1801, clouds of smoke, the story went, were seen to come from the windows of the Treasury Building. The house was remote from the inhabited part of the city, but a cry was raised, congressmen and citizens responded, lines were formed, and buckets of water passed with all speed to the flames. Many circumstances went to show that the fire could not be the work of accident. Those who were first to enter the Auditor's room discovered an unusual quantity of paper scattered over the floor. Three of the party went to the door of an adjoining room in the hope of saving furniture. It was locked, but, looking through the key-hole, a light was seen burning within. To force the door was the work of a moment, when three men were found quietly sitting in the room. Unhappily, the candle was put out before their faces could be seen. Nor was this all. While the fire was raging, several carts and wagons drove up, trunks, boxes, bundles, and bags of Oliver Wolcott's private goods were loaded on them, and borne off to a place of safety. A citizen asked him, while he was busy at this, what should be done to save the papers of the United States. "I have nothing to do with that department," said Wolcott; "you must ask Mr. Dexter." If he had nothing to do with the Treasury Department, how came he to have a dozen or twenty boxes and bags of personal property there? It is hard, even in the day-time, at Washington to get a wagon or a cart to render the most pressing service, carry wood, transport luggage, or bring food from Georgetown. How, then, if Wolcott did not know the fire was to come off, was he able to have so many teams at the office so soon after the alarm was called? When did this bonfire take place? At dusk.

Where did it take place? At Washington, in a room full of the registers of public iniquity. Why not at Philadelphia? Because the alacrity of the people would have quickly put the flames out.* Why did the bonfire take place at all? Because the faction has passed from power; the kingdom of the beast is at an end. Proof of the proper expenditure of the money set apart for the standing army was demanded, and immediately the War Office is consumed. Proofs of the correctness of the man Timothy's accounts were demanded, and, lo! the Treasury Office is all aflame.† Mr. Dexter is rather unfortunate in his fireworks. ‡

The second charge was against the management of navy affairs, and accused the officers of the Boston of plundering and maltreating the crew of the French corvette Le Berceau. Since the February day, 1800, when La Vengeance struck her colors and became the Constellation's prize, the vessels on the Guadaloupe and St. Domingo stations had not been unemployed. As speedily as the Constellation could be made ready for sea she was again in commission, and on her way to join the squadron of Commodore Talbot in the West Indies. His station was St. Domingo, and, while cruising there, he heard that a French letter of marque lay in the harbor of Port Platte. The port was a small one on that side of the island which was under Spanish rule. But the Spaniards were constantly aiding and abetting the French picaroons, and Talbot determined, therefore, that Spanish jurisdiction should not deter him from an attempt to cut the vessel out. Lieutenant Hull, of the Constitution, was sent to reconnoitre. In a cutter he entered the harbor by night, rowed round the Sandwich, for such the packet was named, and reported her lying at anchor under the

* Aurora, January 25, 27, 29, 1801; February 2, 1801.

† The charge was summed up in verse in this wise:

"Pickering, on balance of account,
Owed half a million; this amount
Wolcott declared to be absurd,
And, in a temper rather nettled,
Swore that at Washington it should be settled—
Dexter has kept Wolcott's word."

‡ A committee of Congress traced the origin of the fire in the War Office to the fireplace of an adjoining house. What caused the fire in the Treasury building they did not discover.

guns of a battery erected on shore. And now some delay occurred, for a craft in which to send the boarding party was not at hand. But the patience of the commanding officer was amply rewarded when an American sloop, the Sally, came in sight. She had left Port Platte not long before, and was expected to return. Of all vessels she was, therefore, the most suitable for the enterprise, as her appearance in the harbor would give rise to no alarm. To man the Sally at sea, put a party of marines on board, and dispatch her in time to reach Port Platte at noon of a certain day, was an easy matter, and soon done. Nothing of note occurred till after nightfall, when, on a sudden, a flash and a solid shot across the bow announced that an English frigate was alongside. A boarding officer put off, who, when he stood upon the deck of the Sally, was amazed to find himself surrounded by officers and marines of the United States navy. The reason was briefly explained to him, and he made all haste to depart, declaring, as he climbed down the vessel's side, that his own frigate had precisely the same purpose in view.

At the appointed hour Port Platte was entered, and the sloop headed for the enemy's bow. A few moments later the Sandwich was a prize; she had been earned without the loss of a man. Meanwhile the marines had rowed to the shore, entered the battery, and spiked every gun. It was well they did, for so bare were the masts of yards and rigging that the sun set before the Sandwich weighed anchor and beat out to join the Constitution.

It was not often, however, that the capture of a rich merchantman or a well-laden letter of marque was made. Sometimes an opportunity would be afforded to increase the prize-money of the crew by sending a French frigate or an armed brig to port. But, in the main, the officers passed their time in cutting out American vessels unhappy enough to have fallen into French hands, running down privateers, and emptying broadsides into boat-loads of picaroons. One of the most desperate of these battles befell the armed schooner Experiment. In the early months of 1800 she was becalmed in the bight of Leogane with a little fleet of merchantmen under convoy. As they lay helpless and waiting for the wind, ten large barges full

of negroes and mulattoes were seen rowing out from shore. Each barge was rowed by twenty oars, contained from thirty to forty men armed with pikes, cutlasses, and muskets, and, in some cases, had a swivel or a small gun. So well was the character of the Experiment hidden that, when her guns were run out, the enemy was within reach of her grape. Then began a conflict which lasted for seven hours. Twice were the barges rowed to shore to land the dead and wounded, and twice did they renew the attack. Two were sunk. Two of the convoy, that had drifted out of gunshot, were seized. A third was boarded and the captain slain before the picaroons were driven away.

The Experiment now changed commanders, fell in with and took the French privateer Les Dieux Amis, and soon after, while cruising, made two sail, which were clearly the enemy's ships. One was a brig of eighteen guns. The other was a three-masted schooner of fourteen. Both gave chase; but an hour was enough to show that the American could easily escape. Thereupon she was so manœuvred as to separate her pursuers, and keep them separated till night came on, when, changing her course, she cleared for action, bore down upon the schooner, poured in a broadside, and almost immediately afterward sent a prize officer on board.

Nor was the Enterprise, the sister ship to the Experiment, less successful. The two had been built to chase and punish the swift privateers, picaroons, and barges with which the war was carried on among the islands, a service the clumsy frigates of that day could not perform. Of one hundred and sixty-five tons burden, armed with twelve light guns, and manned by crews of but seventy-five men, they did far more for the protection of American trade than all the frigates bearing the United States flag. During 1800, six privateers, numbering fifty-nine guns and three hundred and sixty-seven men, struck to the Enterprise alone.* With such triumphs were mingled disasters of the saddest kind. From two gallant ships that put to sea no tid-

* La Citoyenne, L'Aigle, La Pauline, La Seine, the Flambeau, and La Guadaloupéenne.

ings have ever come. A third went down with all the crew save one.

The list of prizes for the three years sums up to seventy-four; a noble showing, it was said, for an infant navy. The last, and in time the most famous capture was made in November by the frigate Boston, Captain Little in command. The vessel was cruising in the waters between the West India Islands and the American coast, when she fell in with the corvette Le Berceau, one of the finest and fastest ships of the French marine. The Boston had a few more guns, but the Frenchman was nothing loath to fight, and the battle at once began. For two hours the firing was uninterrupted. By that time the first lieutenant, the master, the boatswain, the gunner, and some thirty of the crew, lay dead on the deck of the Berceau, her rigging was cut to pieces, her sides were shattered, and her foremast and mainmast so injured that, not long after she struck, both went by the board. What remained was brought to the United States. But the Boston had not been long in port when strange stories of the conduct of her officers began to be spread about. They were accused of shameful treatment of the prisoners. Three cabin-boys, it was said, were made slaves of; the crew had been fettered and chained in pairs in such wise that, when one lay on his back, the other was forced to lie on his face. The officers had been robbed of jewels and clothes.

These statements the Federalists declared were Jacobin lies. Five officers of the Berceau thereupon signed and published the charge in full. Not only had they been robbed of knee-buckles, but of watches, musical instruments, ear-rings, and handkerchiefs too. Buttons were cut from their coats, the linings ripped, and the soles torn from their shoes in search of money.

Grave as the charge was, it fell on dull ears. Every man awaited with mingled feelings of hope and fear for the result of the presidential election in the House. Tedious and costly as a journey to Washington then was, the people hastened there by hundreds. The hotel, every lodging-house, every boarding-house, was crowded. In one fifty men slept upon the floors, with no beds but blankets and no coverings but

their great-coats.* The time prescribed by law for the counting of the electoral vote was Wednesday, the eleventh of February. The House then proceeded to the chamber of the Senate, and witnessed the opening and the counting of the ballots. The tellers reported that a slight irregularity had been found in the vote of Georgia; but, believing it to be a true vote, they had counted it. Jefferson then announced that no election had taken place, and that it now remained with the House of Representatives to decide whether the next President should be Thomas Jefferson or Aaron Burr. The two Houses then separated, and the representatives, following the Speaker, went back to their own hall. A call by States showed that all the members save two were in their places. Sumter, of South Carolina, was sick. Jones, of Georgia, was dead. Nicholson, of Maryland, was also ill, but they brought him on a bed, which they laid in one of the committee-rooms hard by. The gallery was cleared, the doors closed, the delegates from the same State took seats together, chose a teller, if they saw fit, and began to vote. As the ballots were written, members deposited them in that box which had been assigned their particular State. When the will of the State had been determined, a duplicate statement of the vote was made. If a majority was for either candidate, his name was put down on the two slips. If the State were divided, then the word "Divided" was used instead. All being ready, the Sergeant-at-Arms came round to the representatives of the sixteen States in turn. In his hands were two ballot-boxes, and in each ballot-box one of the bits of paper was dropped. But the House had ordered that if more than one representative from a State was on the floor the two slips should not be cast by the same hand. Having collected all, the Sergeant placed one box on a table at the right of the Speaker and one on a table at his left. Each State then chose a teller, and while eight were examining the contents of one box, eight were busy with the other. The reports from the two parties agreeing, the result was declared the true vote of the House.

On the first ballot eight States supported Jefferson and six

* Aurora, February 16, 1801.

Burr.* Vermont and Maryland were divided. Six more ballots were then taken in rapid succession, but no change occurred. The House having ordered that no business should be transacted, and no adjournment made till an election was held, it was moved to take the eighth ballot at the end of one hour. This was passed; and, when the time expired, eight more were taken without interruption. A member then moved that the sixteenth ballot be held at ten in the evening. This was lost, and nine o'clock chosen. The seventeenth was at ten, and the eighteenth at eleven, after which the House was asked not to vote again till eleven the next day; but it refused, and bade the Sergeant-at-Arms go round with his boxes for the nineteenth time at midnight.

The scene was now ludicrous. Many had sent home for night-caps and pillows, and, wrapped in shawls and great-coats, lay about the floor of the committee-rooms, or sat sleeping on their seats. At one, and two, and at half-past two, the tellers roused the members from their slumbers and took the same ballot as before. The sleepers were then suffered to rest undisturbed till four in the morning. At that hour the post-rider set off with the news that no President had yet been chosen. He had been detained, long after the usual time of departure, at the request of the Speaker. When he was gone five ballots were taken at intervals of an hour each. As the House was

	Jefferson.	Burr.	
* New Hampshire	0	4	Burr.
Vermont	1	1	Divided.
Massachusetts	3	11	Burr.
Rhode Island	0	2	"
Connecticut	0	7	"
New York	6	4	Jefferson.
New Jersey	3	2	"
Pennsylvania	9	4	"
Delaware	0	1	Burr.
Maryland	4	4	Divided.
Virginia	16	3	Jefferson.
North Carolina	9	1	"
South Carolina	0	5	Burr.
Georgia	1	0	Jefferson.
Kentucky	2	0	"
Tennessee	1	0	"
Totals	55	49	

about to go to breakfast, an order was passed that the twenty-eighth should be counted at noon, and not before. This over, twelve o'clock on Friday, the thirteenth of February, was agreed upon as the time for the twenty-ninth ballot. The thirtieth was at noon, and the thirty-first at one on the fourteenth. An hour later, while the members were preparing their slips for the next, a member from North Carolina rose, addressed the Chair, and said this nonsense ought to stop, and that in future his vote should be cast for Thomas Jefferson. The delegation from North Carolina was thus made unanimous; but the result was not affected in the least. When the thirty-third ballot was announced the House determined no more voting should be done till noon on Monday, the sixteenth.

The anxiety and impatience of the people were now apparent. The crowd of strangers that filled the city and were excluded from the House resorted to all manner of ways to influence and persuade the members. Some spread a report that at Philadelphia the citizens had seized the public arms, and would not lay them down till Jefferson was chosen over Burr. Others circulated a memorial, and then presented it with a roll of signatures to the Maryland member who represented the district in which Washington lay. The paper told him that at least two thirds of his constituents preferred Jefferson to Burr, and begged him to change his vote. Had he done so, Jefferson would immediately have been chosen. On Monday a score of men in a huge sled, drawn by ten horses driven by five postilions, went shouting and cheering through the streets, bearing with them a banner inscribed, "Jefferson, the Friend of the People," and again, "Jefferson and Burr."

Such demonstrations, however, were vain. On the thirty-fourth and thirty-fifth ballots the voting was still the same. But, as the Speaker rose to announce the thirty-sixth, his face plainly showed that the contest was at an end. The Federalists had at last given way.

James Bayard, of Delaware, was the Federal chief. At the opening of the contest he first made sure of the doubtful votes, and, holding the result of the election in his hand, began to consider the fitness of giving it to Burr. It was expected that Burr would pledge himself to Federal measures in return for

Federal support. He would not; and Bayard, aided by Hamilton, spent all his energies in persuading the Federalists to make Jefferson their choice. The task was a hard one. Caucus after caucus was held, only to break up in discord and confusion. The final arrangement was in consequence of assurance from Jefferson that the wishes of the Federalists corresponded with his own; that they might confide in him to the fullest extent; that he would preserve the navy; that he would maintain the public credit; that he would not remove any of the host of petty office-holders merely because they had, in the late campaign, been faithful to the Federal cause. The price settled, the Federal members from Maryland, Delaware, and Vermont cast blank ballots, and the Republicans secured ten States.

The riders who bore the news southward and eastward heard the bells ringing and the guns firing as they rode out from town after town along their routes. In the streets of the Republican cities a week passed before the shouts of triumph died away. Baltimore welcomed the glad tidings with a salute of sixteen guns. At Philadelphia a Federal print savagely declared the price of gin and whiskey had, since the election, gone up fifty per cent. The prevailing tavern toast became "Jefferson, the Mammoth of Democracy." Now, exclaimed the Aurora, the Revolution of 1776 is complete. Brave Republicans did indeed beat the slaves of monarchy on the field of battle; they did, indeed, drive the hirelings of King George from our shore. But not till now have their insidious foes at home been laid low. This glorious success makes one thing certain; and that is, however deceived the people may be for a time, truth is sure to triumph where the press is free. The malice of the expiring faction has well been shown by casting blanks. Others, who would not write in this strain, gave expression to their joy in ballads and verse.* Still others, with

* "Hark! the echoes of Joy, how they ring through the land!
Avaunt, ye pale tyrants, 'tis Freedom's strong voice.
On the hills of Columbia she fixes her stand,
And proclaims the glad tidings, and this is her choice:
Lo! Jefferson bright;
Fill up the bumper—that's right—

the French cockade in their hats, repaired by scores to the public meetings, where committees were chosen to determine in what manner it would be fitting to celebrate the auspicious fourth of March.

During the evening of the third the last session of the sixth Congress came to an end. Each House had passed some bills and had listened to some debates of great public concern. The three commissioners to France wrote home that they had been well received, but had done little.

At the time of their departure they had received precise instructions as to what they were to do. They were to inform the French ministers that the United States expected for her citizens full indemnification for spoliation of their property by the French Republic or its agents. Such a stipulation was to be indispensable to the making of a treaty. If, however, the French Republic, having some claims for damage done by the United States, wished to waive her national claims, the envoys might, in return, waive the national claims of the United States. This was to avoid multiplying subjects of dispute, and because the claims of nations, being less definite than those of individuals, were more difficult to adjust. When France had agreed to pay damages, the envoys were to take up the matter of navigation and commerce, and insist on three things: The treaty must establish a board to hear and determine the claims of American citizens, and must bind France to pay the sums awarded. Not an article, not a line of either of the two old treaties, not a word of the Consular Convention, was to be revived by the new. No alliance was to be entered into, and no guarantee of the French possessions in America was to be given.

The negotiation began at Paris in April, 1800. A distinction was drawn between claims originating before and claims originating after the seventh day of July, 1798 — the day whereon Congress declared the old treaties with France were no longer binding. To this distinction the French ministers would not listen. Some compensation for spoliation ought,

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Here's his health, we'll support him, if needful we'll fight;
But in Union and Harmony we *wish* to combine,
And kneel with devotion at Liberty's shrine."

Aurora, February 23, 1801.

they admitted, to be made; not as the forerunner of a new treaty, but as the consequence of the old. This granted, they were ready to discuss the principles which ought to guide the political and commercial relations of America and France, and to determine the best way of paying the indemnities found due.

Ellsworth, Murray, and Davie replied that they could not recognize the existence of former treaties, and sent thirty articles describing with great detail the future intercourse between the Republics. Thereupon the French ministers sent off for further instructions to Napoleon, then in Italy, and, when his will was known, offered two propositions: the old treaties, with indemnity in full; or a new treaty, with no indemnity at all.

The position of France was now clearly defined. If the privileges she enjoyed under the old treaties were to be given up, then all claims for spoliation must go with them. If she were to be required to satisfy the demands of American merchants and ship-owners, she must, in return for this concession, continue to enjoy the great privileges secured by former treaties. These were the guarantee of all her possessions in America, an agreement that free ships should make free goods, and the right to send her armed ships and privateers with prizes into any port in the United States to the exclusion of those of her enemy. Unable to move the French ministers by persuasion, the envoys determined to try what could be done by money. The United States, they proposed, should be released from the guarantee on the annual payment of one million francs during the war, or five million francs at any one time; and, on the payment of three million francs, should be suffered to reduce the rights of French privateers to those of the most favored nation. The money was tempting; but the offer was stoutly refused. Some offers were then made by the French ministers which the American envoys declined, and for two months the negotiation dragged on. At last, on the thirtieth of September, 1800, a convention, in place of a treaty, was agreed on. By it, matters in dispute were left for future negotiation; property captured, but not condemned, was to be given up; public ships taken before the exchange of ratifications were to be released; commerce was to be free; free ships were to make free goods; no more duty exacted from the citizens of

France than from the subjects of the most favored nation, and the term "contraband of war" defined.* The Senate struck out the second article,† added a few words as to the time the convention should be in force,‡ and in this form advised the President to ratify.

The House meanwhile received a report on the expediency of amending the Constitution. A member thought that the manner of choosing presidential electors and representatives might be simplified and greatly improved. He was not alone in this belief, and the two amendments he submitted embraced that plan which, during the summer and autumn, had been uppermost in the popular mind in two great States. After March third, 1801, the States should, he proposed, be divided into as many districts as they had electors; that each district should elect one; and that all congressmen to serve after March third, 1803, should be chosen in a similar way. The committee to whom the matter was referred considered it most carefully, and had the clerk read to the House a long and well-written report. Various methods, they said, were then in use, but the electors were, after all, either chosen by the Legislature or elected by popular vote. Where the Legislature voted, the ballot was joint, and the electors either picked from the people at large or selected from a limited list of names nominated in certain proportion by each House. Where the choice was by popular vote one of two plans was in use. Some States were cut up into districts in the manner of the proposed amendment. Some had a general ticket voted on all over the State.

That any of these systems should be made general the committee was not prepared to say. All, perhaps, were good. But the least so was, undoubtedly, the district plan. Suppose

* Annals of Sixth Congress, Second Session.

† "ART. 2. The ministers plenipotentiary of the two parties, not being able to agree, at present, respecting the treaty of Alliance of 6th February, 1778, the treaty of Amity and Commerce of the same date, and the Convention of the 14th of November, 1788, nor upon the indemnities mutually due or claimed; the parties will negotiate further on these subjects at a convenient time; and until they may have agreed upon these points, the said treaties and convention shall have no operation, and the relations of the two countries shall be as follows."

‡ "It is agreed that the present convention shall be in force for the term of eight years from the time of the exchange of the ratifications."

it to be everywhere in use. The electoral districts having been marked out, they would, for the convenience of gathering and counting the ballots, have to be divided and subdivided still. Over each of these petty sections some one man or body of men must be placed in authority. Did it seem possible that they could all be honest men? Was not such a thing contrary to the experience of elective governments, nay, of the human race? Through ignorance, or through something worse, many entitled to the right of suffrage would, on election-day, be excluded from the polls, and many not entitled to vote be admitted. Then would spring up wranglings, disputes, and contested elections. The poll-lists, again, must go to some officer to be added up that the will of the district might be known. A fine chance would thus be given for the alteration and suppression of returns. It was not wise, therefore, the committee held, to meddle with the Constitution, or seek to amend it in any way. Let each State choose electors in any manner it saw fit. The report was accepted without debate.

The most acrimonious debate of the session was over the Sedition Law, which, by its own provisions, was to expire on the third of March. The Federalists were determined to continue it. The Republicans were equally determined they should not. Aside, said they, from being unconstitutional, it has produced an abuse of power that is awful to behold. Juries have been packed. Judges have been insolent, defendants browbeaten, threatened, denied time, refused evidence, and, after a mock trial of a few hours, thrown into jail to languish and die. In support of these statements the trials of Lyon and Adams, Cooper and Callender, were then passed in review.

The Federalists, however, gave a very different account. Mr. Lyon, said one of the party leaders, is a member of the House; I will, therefore, out of respect for his feelings, pass over his trial in silence, and begin with that of Mr. Adams. The story of his wrongs is, indeed, most melancholy and pathetic. A poor Boston printer, we are told, is indicted for a libel on the Government of the United States, seized by a Federal Marshal, convicted by a Federal jury, and thrown in prison, where, in a damp and dreary dungeon, he dies at last.

a martyr in the cause of the Freedom of the Press. The story is a good one, but, unhappily, the truth is not in it. There were connected with the Independent Chronicle two men of the name of Adams. One was convicted of libel, but he was far gone with consumption, and was arrested, not by the Federal Marshal, but by that yet more imperious Marshal who, sooner or later, will arrest us all. Thereupon the second Mr. Adams was arraigned, not under the Sedition Law, not in a court of the United States, but under the good, old, wholesome, common law of Massachusetts, before a Massachusetts judge, in a Massachusetts court. He was tried and found guilty, not by a jury picked by a marshal, but by twelve good men and true chosen by lot from the townsmen among whom he dwelt, and he is at this moment alive and well.

Cooper's case is the next held up to condemnation. He was denied, it is asserted, the means of making a defence. Now, by great good luck, there are members of this House who attended the trial and who know this statement to be absolutely false. We were summoned to attend, were unable to at the time we wished, yet did attend. And, as we walked into Court, the defendant stood with a paper in his hand, in the act of presenting an affidavit that our testimony was essential, that we would not come, and that he ought, therefore, to have more time. Our presence destroyed this plea, and the case went on. Why were we called? In hope that we would stay away. It was a mere trick to postpone the trial. Nay, more, when the Court informed him of our presence, and asked if we were to be put on the witness-stand, he answered, No!

It is said, again, that the benefit of other testimony was refused him. What testimony? That of the President. Can any man seriously maintain that the President should be made to come into Court? If the precedent is once set up, will he not be summoned to New Hampshire, to Georgia, to the wilds of the Ohio, whenever a band of malcontents want the public business delayed?

The case of Callender is equally misrepresented. The man was convicted of a libel so gross that the members of his own party cannot read it without a blush. They have lost no chance to suppress it. Callender wished to bring men of character

into Court, and insult them by asking if "The Prospect Before Us" was not true. Is there a man on earth so hardened as to say he believes the infamous statements of that book? Would the gentlemen he pretended he wished to call have gone to Court and said they believed such libel? No. The story is told that one of them was in Richmond, and was summoned, and said: "Let the scoundrel run away, and I will pay his recognizance; but to appear for him is too much."

In no other land has the press ever made so systematic, so inveterate an attempt to ruin a government as in our own. Everything that is sacred in virtue, everything that is fair in character, every name that has been endeared by splendid services, has become a mark for infamous printers. Washington has been accused of murder, and speculation in the funds. The President, of a design to change the Constitution and set up a king. A former Secretary of State is called a thief, and the present Secretary of the Treasury a burner of public records. Yet these slanders, we are told, must go unpunished. Such things are but the feverish symptoms of liberty, which a little truth will allay. After Matthew Lyon had described his trial and imprisonment to the House, the vote was taken. Forty-eight rose in the affirmative and forty-eight in the negative. The chairman of the committee then cast an affirmative vote, and the resolution to continue the law was reported to the House. But, a few days later, when the Speaker asked, Shall this bill be engrossed for a third reading? a majority of the House willed that it should not.* So the famous law expired at midnight on the third of March.

Much of the afternoon and much of the evening of that day were spent by the Senate in confirming the appointments made by the President. Indeed, it was past nine o'clock when the names of the last of the new judges were presented, and almost twelve when their commissions were signed. For this the Republicans branded them with the nickname of the Duke of Braintree's Midnight Judges. The law under which they were appointed went into effect on the thirteenth of February, provided for two sittings of the Supreme Court each year,

* Annals of the Second Congress, January, 1793. The vote was, Yeas 49, Nays 53.

that the next vacancy on the bench should not be filled, that justices should no longer ride on circuit, parted out the States into twenty-three districts, and established six circuit courts.

Had the appointment of these officers been left to Jefferson, the Republicans would undoubtedly have found little fault with the law. Sixteen well-paid places would thus have been added to the list of officers within the President's gift. But they would have gained what they valued far more than places: a control of the inferior United States courts. The whole judiciary was hateful to them. Had not the Supreme Court attempted to drag the State of Georgia before it as a defendant? Had it not forced the States to hurry through an amendment to the Constitution in defence of their sovereign rights? Had not two Chief Justices been sent abroad to make treaties it was the business of the Court to expound? Had not the circuit judges enforced the Sedition Law in a manner that would have done credit to the infamous Jeffreys? Was it not the very bulwark of monarchy? Well knowing that every district judge would be named by Adams, they cast a strict party vote against the bill. It passed, and they were not disappointed, for among the last public documents he signed were the commissions of the midnight judges.

The ink was not six hours dry when he entered his coach and was driven hastily out of the city. It has been long popularly believed that at noon Jefferson, unattended by a living soul, rode up the Capitol hill, tied his horse to the picket-fence, entered the chamber of the Senate, and took the oath of office.* The story, unhappily, is not true. Surrounded by a crowd of citizens and a troop of militia, beating drums and bearing flags, he ambled slowly on to the Capitol and mounted the steps, with the shouts of a multitude and the roar of cannon ringing in his ears.

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* This idle story, in which there is not a word of truth, has found its way into so many books where it ought not to be, that I will give the true account of the inauguration ceremonies as published at the time:

"At an early hour on Wednesday, March 4th, the city of Washington presented a spectacle of uncommon animation, occasioned by the addition to its usual population of a large body of citizens from the adjacent districts. A discharge from the company of Washington artillery ushered in the day; and about ten

As he passed through the doorway of the Senate-chamber the senators and representatives present rose. Burr left the chair, Jefferson took it, rested a moment, rose, and delivered his speech.

He began with an expression of his thanks, and of the awful presentiments with which he approached the great office he had been called on to assume. The contest over, it was high time to put away animosity, heart-burning, and strife, and bring back that harmony and affection without which liberty, nay, even life itself, are but dreary things. Religious intolerance had been driven from our shores. Yet the gain was little if, in its stead, a political intolerance was set up, quite as despotic, quite as wicked, quite as capable of bitter persecution and bloody deeds. The rightful will of the majority ought at all times to rule. But that will, to be rightful, must be reasonable, and reasonable it could not be if men denied that the minority had equal rights which equal laws must protect. It was not wonderful that the throes and convulsions of the Old World should have reached even to the New; that some should feel and fear them much, and others less; that there should be many opinions touching the best measure of safety to pursue. But difference of opinion did not always spring from difference of principle. "We have," said he, "called by different names brethren of the same principle. We are all Republicans; we are all Federalists. I know, indeed, that some honest men fear that a republican government cannot be strong—that this Government is not strong enough. I believe this, on

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o'clock the Alexandria company of riflemen, with the company of artillery, paraded in front of the President's lodgings.

"At twelve o'clock, Thomas Jefferson, attended by a number of his fellow-citizens, among whom were many members of Congress, repaired to the Capitol. His dress was, as usual, that of a plain citizen, without any distinctive badge of office.

"He entered the Capitol under a discharge from the artillery. . . . As soon as he withdrew, a discharge of artillery was made. The remainder of the day was devoted to purposes of festivity, and at night there was a pretty general illumination." See Aurora, March 11, 1801. Also a little book called Speech of Thomas Jefferson, President of the United States, delivered at his Instalment, March 4, 1801, at the City of Washington. To which are prefixed his Farewell Address to the Senate, and a brief account of the Proceedings at the Instalment. Philadelphia, 1801, pp. 8, 9, 10.

the contrary, the strongest Government on earth. I believe it the only one where every man, at the call of law, would fly to the standard of the law, and would meet invasions of the public order as his own private concern." The speech closed with a brief summary of those principles of which he believed good government to consist, and these were, equal and exact justice to all men; peace, commerce, and an honest friendship with all nations, but entangling alliances with none; State rights, majority rule, honest elections, a well-regulated militia, economy in the expenditure of public money, payment of the debt, diffusion of knowledge, freedom of the press, freedom of the person, and freedom of religious belief.

The effort was held to be a great one, was quickly printed on paper and on satin, and, adorned with a portrait of the President, was soon for sale in every city.*

While these things were taking place at Washington, the Republicans were pouring forth that rapturous delight they had, for two long weeks, with difficulty restrained. The whole land on that day was noisy with bell-ringing and cannonading in honor of the triumph of Democracy and the inauguration of the Man of the People. Never, since the news of peace swept over the land in 1783, had such an exhibition of heartfelt joy been seen. Nor was the like of it again seen till, in time, another Adams was followed by another Democratic President more popular still. No business, no labor, was anywhere done. Men too poor to subscribe for the purchase of powder, or to buy a ticket for the dinner in the Court-room or the tavern, went gladly to help ring the bells, put up arches, or make emblems for the parade. Newport, in Rhode Island, boasted of the finest triumphal archway; but Philadelphia, it was conceded, produced the most imposing ceremony.

At that city a discharge of cannon ushered in the day. Precisely at twelve the procession began to move. First came the Military Legion, numbering twenty full companies of

* Speech of Thomas Jefferson, President of the United States, delivered at his Instalment, March 4, 1801, at the City of Washington. To which are prefixed, his Farewell Address to the Senate: and a brief Account of the Proceedings at the Instalment. Philadelphia, 1801.

riflemen and artillery, light infantry, and light horse. The military officers came next, and then the officers of the Civil Government, with Alexander Dallas, Secretary of State, at the head. After them walked John Beckley, once clerk of the House of Representatives, now orator of the day, and after him the braves of the Tammany Society. Sixteen tribes, representing the sixteen States, were present, resplendent in paint and feathers, and bearing calumets and emblems, and liberty-caps on long poles. The True Republican Society carried another huge cap. Bands of citizens, the Associated Youth, and the fine schooner Thomas Jefferson brought up the rear. When they had gone through the chief street of the city, and shown themselves to their fellow-townsmen, the paraders marched to Christ Church, where a great crowd awaited them. All being seated, the exercises began with the popular tune, "Jefferson's March." A "solemn invocation" * was then sung, and, after a pause, the anthem, "This is the day which the Lord hath made, we will rejoice and be glad in it." During the reading of the Declaration of Independence the audience were deeply moved, and then listened with rapt attention to the fine rendering of the overture to Samson. But, when the organ rolled out the air of "The People's Friend," every man in the church rose to his feet and sang the verses with a will. Then Beckley delivered an oration adorned with that senseless and bombastic rhetoric which disgraces the speeches of half the orators of the time. The benediction said, and the last piece of music played, the audience departed, some to make ready for illuminating their houses, some to attend one of the many public dinners with which the festivities of the day closed. It was intended that the illumination should be the finest the city had ever beheld. But the Mayor forbade it, lest a terrible fire should result from the multitude of lamps and candles used. Such was the joy of the company gathered about the tables of the hotels and taverns all over the land, that the sixteen toasts were too few to express their feelings,

* "Let our songs ascend to Thee,
God of life and liberty;
For grateful songs our tongues employ,
The transports of a nation's joy."

and as many as thirteen volunteers were often added. The sentiment of one was, "Thanks to Sandy Hamilton"; of another, "Federal Pyrotechny, or the Art of making Bonfires"; of a third, "The General Election—the Pass of Thermopylæ for the 'Spartan Bard.'" When a fourth reveller proposed "The Exit of Aristocracy," the band struck up the "Rogue's March."

CHAPTER XII.

TOWN AND COUNTRY LIFE IN 1800.

THE charge of "pyrotechny" brought against the Federalists in 1801 was precisely such as they brought against the Republicans in 1797. The presidential election of 1796 was over, and the people, angry and excited, were restlessly awaiting the returns from distant States, when terrible fires broke out in quick succession at Savannah, at Baltimore, Philadelphia, and New York. That at Savannah occurred late in November, destroyed three hundred and fifty houses, and was generally believed to have been of accidental origin. But those elsewhere were held to be clearly the result of design.* The Jacobins, the Democrats, the shouters of Ça ira, the friends of the Sage of Monticello, had applied the torch. Unable to afflict the country with a French President, they were determined to afflict it with French liberty. Having commenced to burn cities, they would soon begin to murder citizens. Such was the penalty for refusing to lie down at the feet of the French Directory. If anybody ventured to attribute the fires to the severity of the winter, to sooty chimneys, and to the huge piles of wood that blazed and crackled on a thousand hearths, he was pronounced a Jacobin, and told that the weight of evidence was against him. One man at New York had found in his out-house coals of fire rolled in oiled rags.† Another had the bed on which his child slept set on fire.‡ A third found his door badly scorched one morning.# An old lady had overheard an alarming conversation on the street.‖ Two

* Gazette of the United States, December 23, 1796. Argus, December 15, 1796

† Philadelphia Gazette, December 16, 1796.

‡ Ibid. # Ibid. ‖ Ibid.

young men were arrested going over the fields with combustibles and pick-locks hidden in their clothes. Two more were caught setting fire to a house.* The Common Council in alarm offered five hundred dollars for the detection of the incendiaries, and urged the citizens to meet and form companies to keep night-watch.† The call was obeyed. A great meeting was held at Rattoone's Tavern, and, when night came, every ward in the city was patrolled by armed bands. ‡ The watch was chiefly made up of young men, who, finding little to do, spent the nights in frolic and play. They sang songs; they played tricks; they stopped and insulted wayfarers on the streets.# When the watch of two neighboring wards met, a fracas was sure to ensue. ‖ The newspapers, meanwhile, were full of advice. Citizens would do well to confine their servants.^ Those who had pumps in their yards should throw a little salt in them to prevent freezing during the cold nights. The watch ought to move the pump-handles a few times as they went past. ◊ The city charter was at fault. The police regulations at fires were shockingly bad. What business had strangers and women at such places? Everybody knew that thieves took such occasions to plunder their fellow-citizens. Nothing could be easier, especially at night, than for women in long cloaks to conceal and carry off valuable articles from a burning house. Let the citizens be enrolled, let them wear a badge at fires, and let neither women nor strangers come near. ‡

The law then required every householder to be a fireman. His name might not appear on the rolls of any of the fire companies, he might not help to drag through the streets the lumbering tank which served as a fire-engine, but he must at least have in his hall-pantry, or beneath the stairs, or hanging up behind his shop-door, four leathern buckets inscribed with his name, and a huge bag of canvas or of duck. Then, if he were aroused at the dead of night by the cry of fire

* Argus, December 16, 1796.
† Ibid., December 17, 1796. Philadelphia Gazette, December 16, 1796.
‡ Ibid., December 16, 1796. Philadelphia Gazette, December 16, 1796.
# Ibid., December 20, 1796.
‖ Minerva, December 22, 1796.
^ Argus, December 15, 1796.
◊ Minerva, December 26, 1796.
‡ Ibid., December 12, 1796.

and the clanging of every church-bell in the town, he seized his buckets and his bag, and, while his wife put a lighted candle in the window to illuminate the street, set off for the fire.* The smoke or the flame was his guide, for the custom of fixing the place of the fire by a number of strokes on a bell had not yet come in. When at last he arrived at the scene he found there no idle spectators. Each one was busy. Some hurried into the building and filled their sacks with such movable goods as came nearest to hand. Some joined the line that stretched away to the water, and helped to pass the full buckets to those who stood by the flames. Others took posts in a second line, down which the empty pails were hastened to the pump. The house would often be half consumed when the shouting made known that the engine had come. It was merely a pump mounted over a tank. Into the tank the water from the buckets was poured, and pumped thence by the efforts of a dozen men. No such thing as a suction-hose was seen in Philadelphia till 1794. A year later one was made which became the wonder of the city. The length was one hundred and sixty feet. The material was canvas, and, to guard against decay, was carefully steeped in brine. The fire-buckets, it was now thought, should be larger, and a motion to that effect was made in the Common Council. But when it was known that the new buckets, if ordered, must hold ten quarts, the people protested. Ten quarts would weigh twenty pounds, and the bucket five pounds more. This was too much, for, as everybody knew, the lines at a fire were often made up of boys and lads not used to passing heavy weights. Eight quarts was enough. Much could also be accomplished by cutting the city into fire wards and giving a different color to the buckets of each ward. They could then be quickly sorted when the fire was put out.† At New London five fire wardens took charge of the engines and all who aided in putting out fires. To disobey a warden's order was to incur a fine of one pound. If a good leathern bucket was not kept hanging in some convenient place in the house, and shown to

* See an account of a fire in Boston. Travels in the United States of North America. W. Priest, pp. 168, 171.

† American Daily Advertiser, January 17, 18, 1797.

the warden when he called, six shillings a month was exacted as punishment.* At New York, however, it was long before the buckets gave way to the hose. There, if a householder were old, or feeble, or rich, and not disposed to quit a warm bed to carry his buckets to the fire, he was expected at least to send them by his servant or his slave. When the flames had been extinguished, the buckets were left in the street to be sought out and brought home again by their owners. If the constables performed this duty, the corporation exacted a six-shilling fine for each pail. This was thought excessive, and caused much murmuring and discontent. Some people undoubtedly, it was said, were careless in looking for their buckets after a fire. These could easily be made diligent by a small fine. A great one was a strong temptation to the constables to hide away the buckets to get the reward. Others again, having come down the line empty, were tossed into the river so carelessly as to fill and sink instantly. Innocent people were thus put to needless expense. Let some one be appointed and paid to fill the buckets properly. While so disagreeable a part was voluntary, it was very hard to find a man to do it well. It would be wise, also, to renew the old custom of inspecting chimneys, stoves, and ash-houses.† They were fruitful sources of fire.

That nothing should be left undone that could lessen the chances of destruction by fire was most important. Few buildings and little property were at that time insured. The oldest company in New York had existed but twelve years. Forty-five years had not gone by since the first fire-insurance policy in America began to run. Early in February, 1752, a notice came out in the Pennsylvania Gazette inviting such prudent citizens of Philadelphia as wished to insure their houses from loss by fire, to meet at the Court-House. There, every seventh day, subscriptions would be taken till the thirteenth of April. Many came, and, on the April day named in the notice, chose twelve directors and a treasurer. At the head of the poll stood Benjamin Franklin. He has, therefore, often been supposed to have founded the Philadelphia Contributorship for the Insurance of Houses from Loss by Fire. But the father of fire insur-

* Connecticut Gazette, November 26, 1795. † Argus, December 14, 1796.

ance in the United States is, beyond a doubt, John Smith. The contributors took risks in Philadelphia, and in so much of the country as lay within ten miles of the town. The rate was twenty shillings on a hundred pounds. The policy was for seven years. The premium was in the nature of a loan. Every man who insured his dwelling or his shop left a few shillings with the treasurer, had his property surveyed, and, in a week's time, if all went well, deposited the premium. The contributors then nailed their "mark" to the front of his building. When the seven years were out the money was returned without interest, or the insurance renewed. It was announced, however, that the company would take no risks on houses surrounded by shade-trees. They interfered with the use of buckets, and the huge syringe which, at that time, every man carried to the fire with his pail. A rival, therefore, started up, took these dangerous risks, and assumed as the mark it fastened to patrons' houses the image of a green tree.*

The houses thus covered by insurance were, in general, of a comfortable but unpretentious sort. They were all alike, both without and within, and each had on the lower floor two connecting rooms. If the owner were a tradesman, the front room was his shop. If he were a lawyer, it was his office. If a doctor, it was there he saw his patients, compounded his prescriptions, and kept his drugs; for only the great practitioners then sent their patients to the apothecary. The rear room was for family use. There they met at meal-time, and in the evening there they sat and drank tea. Above stairs the front room extended across the whole house. People of fashion spoke of it as the tea-room or the drawing-room; but among those who affected no fashion it passed by the name of parlor. In it the tea-parties by invitation were held. On such occasion the hostess alone sat at the table. The guests were scattered about the room, and to them the servants brought tea and rusks and cake, and sometimes fruit and wine. When the gathering was less formal, when some friends or neighbors, as the custom was, had come in unbidden to tea, the little room behind the office or the shop was used. Then all sat about the long

* A Mutual Association Company for Assurance against Fire was started in Richmond in 1795. Richmond Chronicle, November 24, 1795.

table, and, tea over, listened to music and songs. Every man and woman who had even a fair voice was in turn called on to sing. The others, it was expected, could at least play. Among instruments the German flute was a favorite, and for women the four-stringed guitar; but not the violin. That was ungenteel, for Lord Chesterfield had pronounced it so. To the accompaniment of the guitar and flute the men sang hunting songs, and the women Scotch ballads and English airs. "Water parted from the Sea," "Fair Aurora, pray thee Stay," "In Infancy our Hopes and Fears," "Bess of Bedlam," and "Queen Mary's Lament," were favorites everywhere. There were those who heard with delight "Hark, away to the Downs" and "I Love them All."

There were others also who looked down on such innocent amusement with contempt. To their ears no music was pleasing which did not form part of some French opera, and was not to be heard at a concert in a tea-garden or a public hall. French manners had corrupted them. Since the fall of the Bastile, it was said complainingly, every Republican must dress like a Frenchman, and every Federalist like a subject of King George. If you happen to oppose the administration, you must go regularly to the shop of M. Sansculotte, before whose door is a flaring liberty-pole, painted tricolor and surmounted with a red cap of liberty, and have your hair cut *à la* Brutus; your pantaloons must fit tight to the leg and come down to your yellow top-boots, or, better yet, your shoes. If you persist in wearing breeches and silk stockings and square-toed boots, then are you an old fogy or a Federalist, which is the same thing, and must inscribe your brass buttons, "Long live the President."

The folly of the French dress was a source of never-ending amusement. Satire, raillery, invective, the lamentations of the weeping philosopher, and the exhortations of the preacher, were exhausted in vain. Dress became every season more and more hideous, more and more uncomfortable, more and more devoid of good sense and good taste. Use and beauty ceased to be combined. The pantaloons of a beau went up to his arm-pits; to get into them was a morning's work, and, when in, to sit down was impossible. His hat was too small to contain

his handkerchief, and was not expected to stay on his head. His hair was brushed from the crown of his head toward his forehead, and looked, as a satirist of that day truly said, as if he had been fighting an old-fashioned hurricane backward. About his neck was a spotted linen neckerchief; the skirts of his green coat were cut away to a mathematical point behind; his favorite drink was brandy, and his favorite talk of the last French play. Then there was the "dapper beau," who carried a stick much too short to reach the ground, twisted his Brutus-cropped hair into curls, and, upon the very crown of his head, wore a hat of a snuff-box size. But the politest man on earth was the shopkeeping beau. He would jump over a counter four feet high to pick up a lady's handkerchief, made the handsomest bows, said the best things, and could talk on any subject, from the odor of a roll of pomatum to the vulgarity of not wearing wigs.

Even these absurdities were not enough, and, when 1800 began, fashion was more extravagant still. Then a beau was defined as anything put into a pair of pantaloons with a binding sewed round the top and called a vest. The skirts of the coat should be pared away to the width of a hat-band, and if he was doomed to pass his time in the house, he would require a heavy pair of round-toed jack-boots with a tassel before and behind. These provided, lift him, said the satirist, lift him by the cape of the coat, pull his hair over his face, lay a hat on his forehead, put spectacles on his nose, and on no account let his hands escape from the pockets of his pantaloons. Women were thought worse than the men. To determine the style of their dress, Fashion, Decency, and Health, the statement was, ran a race. Decency lost her spirits, Health was bribed by a quack-doctor, so Fashion won.

Such must drink tea in the alcoves, the arbors, the shady walks of Gray's Garden.* They must visit Bush Hill, hear

* A traveller who visited the Garden in 1794 "ordered coffee, which I was informed they were here famous for serving in style. I took a memorandum of what was on the table; viz.: coffee, cheese, sweet cakes, hung beef, sugar, pickled salmon, butter, crackers, ham, cream, and bread." Travels in the United States, etc. Priest, p. 34.

the music, see the fireworks, and watch the huge figure walk about the grounds.* For them, too, were the Assembly and the play. The Assembly-Room was at Oeller's Tavern, and made one of the sights of the town. The length was sixty feet. The walls were papered in the French fashion, and adorned with Pantheon figures, festoons, pilasters, and groups of antique drawings. Across one end was a fine music-gallery. The rules of the Assembly were framed and hung upon the wall. The managers had entire control. Without their leave, no lady could quit her place in the dance, nor dance out of her set, nor could she complain if they placed strangers or brides at the head of the dance. The ladies were to rank in sets and draw for places as they entered the room. Those who led might call the dances alternately. When each set had danced a country dance, a cotillion might be had if eight ladies wished it. Gentlemen could not come into the room in boots, colored stockings, or undress.† At Hanover gentlemen were forbidden to enter the ball-room "without breeches," or to dance "without coats."

Equally fine in its decorations was the theatre. Travellers were divided in their opinion as to whether the finest house was at Charleston, ‡ or Boston, or Philadelphia. But it seems to have been at Philadelphia. Great sums had been laid out on the building. Gilders and painters, frescoers and carvers, had been brought from England to assist in the decoration, and, mindful of the opposition once made by the good people of the city, the managers put up

* A female figure which, after promenading the garden, "disappeared as by enchantment." Porcupine's Gazette, August 12, 1797.

† An Excursion to the United States of North America, etc. Henry Wansey, pp. 119, 120.

‡ The Charleston theatre is described in the General Advertiser, September 5, 1792. The stage was fifty-six feet long, the front circular, and provided with three rows of patent lamps. The galleries were built so that small parties could have a single box. Each box had a window and a Venetian blind. The three tiers of boxes were decorated with thirty-nine columns, and each column with a glass chandelier with five lights. The lower tier was "balustered"; the others panelled. The mouldings and projections were silvered. Three ventilators were in the ceiling. At a later date the public were informed that, "Agreeable to the regulation of the City Council, no people of color will be admitted to any part of the house." South Carolina State Gazette, November 19, 1795.

over the stage the words, "The Eagle suffers the little Birds to sing." * One who saw the place in 1794 declares that it reminded him of an English playhouse. The scenes, the plays, the names of the actors; the ladies, in small hats of checkered straw, or with hair in full dress or put up in the French way, or, if they chanced to be young, arranged in long ringlets that hung down their backs; the men, in round hats and silk-striped coats with high collars of English make, might well have produced that effect.† More than one of the players had often been seen by the crowds that frequented the Haymarket Theatre at London. No seats were reserved. No tickets were sold at the door. No programmes were distributed. No ushers were present. Gentlemen who left the theatre during the play, to drink flip at a neighboring tavern, were given printed checks as they passed out which, if they came back, would admit them. Out of this custom grew three evils. Some, not intending to return, gave away their checks to idle boys and disorderly persons, who thus gained admittance and annoyed the audience. Again, crowds of half-grown lads hung about the doors and, as every one came out, beset him with demands for a check. In this way the tickets passed into the hands of counterfeiters, and were sold for a shilling to persons of low character. All this, the proprietors declared, was ruinous to good morals, and, in a public appeal, begged their patrons not to give the checks to loungers. The curtain went up at an hour when the men of our time have scarcely returned to their homes. The entertainment was long and varied. Pieces now thought enough for one night's amusement were then commonly followed by farces and comedies, dances and tragedies, songs, pantomimes, and acrobatic feats. These were called interlocutory entertainments, and came in between the acts of the tragedy or before and just after the farce. Sometimes the jealousy of Othello would be relieved by the New Federal Bow-Wow, in which the singer would imitate in succession the surly dog, the knowing dog, the king dog, the sitting dog, the barking dog, till pit and gal-

* An Excursion to the United States of North America, etc. Henry Wansey, p. 114.

† Ibid., p. 113.

lery were convulsed with laughter.* Again it would be a banjo dance, or a hornpipe by some actress of note. If "Ça ira" were sung, the Federalists would not be quiet till Yankee Doodle was given, whereupon the gallery would join in the chorus. On particular occasions the programme would be made to suit the day. On the twenty-second of February, 1797, the Federal Street Theatre at Boston made a great display of illuminations and transparencies, covered the pit, and spread a fine supper on a table which stretched from the boxes to the stage. The Haymarket Theatre, not to be outdone, decorated its walls, had an ode written for the occasion, and played the tragedy of Bunker Hill.† A few months later, when, after many trials, the famous ship Constitution left her ways, the evening performance at the Haymarket closed with "The Launch, or Huzza for the Constitution," and a fine representation of the ship. ‡ As much as three thousand dollars are known to have been expended on the scenery of a single piece.# The income of a single night reached sixteen hundred dollars. ‖

When the season was over in the cities, the players wandered over the country and performed in the large towns. During the summer of 1796 part of the Old American Company stopped at Newport. But they were not to the liking of the people. Few went to see them. They fell into debt, and on the day of the last performance put up a cry for help. Would the people of Newport take into their kind, generous, and humane consideration the sufferings of the actors? The business during the whole summer had been poor. The weekly outlay had not been met. No salaries had been paid till the great nights when the Providence Company came down. Would the town, therefore, please to honor and patronize their last play? When the occasion came the Beaux Stratagem, the Federal Bow-Wow, a comic opera called the Poor Soldier, a hornpipe, slack-rope tumbling, and the pantomime of the Death of Captain Cook, were all performed.△

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* Massachusetts Mercury, November 3, 1797.

† Ibid., February 24, 1797. ‡ Ibid., November 3, 1797.

Aurora, February 10, 1797.

‖ On another night the proceeds were $666. Boston Gazette, June 25, 1795.

△ Newport Mercury, September 6, 1796.

The Providence Company that brought the great nights had long been playing a programme quite as varied. One night it was Road to Ruin, with the Grecian Fabulist, Bucks have at Ye All, and a musical piece, the Son-in-Law, thrown in.* On another evening the Midnight Hour, and Oscar and Malvina, a drama founded on Ossian's Tale, were played.† A third company, on its way to Philadelphia, informed the ladies and gentlemen of Hartford that it would play in the town for one night only. ‡ A fourth notified the people of East Hartford, East Windsor, and Glastonbury that it had come to Hartford, that it would play there, and had contracted with the ferryman to attend regularly at his dock when the play was done.#

These strolling players met at best with poor returns. The theatre was looked upon, and justly, as an institution of questionable morality. The playhouse was not then the quiet and well-ordered place it has since become. Both actors and audience took liberties that would now be thought intolerable. On one occasion, at Alexandria, whither a company always went in racing season, some of the players forgot their parts. They supplied the omissions with lines of their own composition, and even went so far as to recite ribald passages. Thereupon they were threatened with a pelting of oranges, eggs, and hard apples. ‖ At another time, at Richmond, the actors came upon the stage with books in their hands and read their parts. Some ventured to appear before the audience in a state of gross intoxication. Much of the illusion of the scenery, it was said, was yet further destroyed by the voice of the prompter, which could be heard in all parts of the house.^ From Charleston came complaints of the misbehavior of the young men. They would enter the theatre carrying what might well be called bludgeons, but what they had named tippies, would keep up an incessant rapping on the seats, and, when remonstrance was made, had been known to declare that a theatre,

* Providence Gazette, August 6, 1796.

† Ibid., September 10, 1796.

‡ Connecticut Courant, August 7, 1797.

Ibid., August 14, 1797.

‖ Virginia Gazette and Alexandria Advertiser, August 5, 1790. For the manager's reply, see the Gazette of August 12, 1790.

^ Richmond and Manchester Advertiser, November 7, 1795.

like a tavern, was a place where a man, having paid the price of admission, was free to do as he liked.* One evening a fight took place in the gallery. The play was instantly stopped, the offender seized, brought upon the stage, and exposed to public view. The performance then went smoothly on till a bottle was suddenly flung from the gallery to the pit. This was too much. The men in the pit went up into the gallery in a body, laid hold on the culprit, dragged him on the stage, and demanded that a public apology should be made. He refused, and was at once driven from the house.†

In the theatres at the North it often happened that, the moment a well-dressed man entered the pit, he at once became a mark for the wit and insolence of the men in the gallery. They would begin by calling on him to doff his hat in mark of inferiority, for the custom of wearing hats in the theatre was universal. If he obeyed, he was loudly hissed and troubled no more. If he refused, abuse, oaths, and indecent remarks were poured out upon him. He was spit at, pelted with pears, apples, sticks, stones, and empty bottles till he left the house. As "the blades in the gallery" were poor marksmen, the neighbors of the man aimed at were the chief sufferers. ‡ On one occasion the orchestra was put to flight and some instruments broken. Then the manager came on the stage and begged "the men in the gallery to be quiet; if they were not, he should be compelled during all future performances to keep the gallery shut."

Admittance to such performances was quite as costly then as at present. The mass of the people, therefore, supported amusements of a cheaper kind. Every year, as soon as the post-roads were fit to be used, a score of showmen and acrobats, magicians, and natural philosophers, came up from the South. They wandered from town to town, spent a few days at the tavern, hired a room, charged a small sum for admission,

* Daily Evening Gazette and Charleston Tea-Table Companion, February 14, 1795.

† Ibid., February 14, 1795. On one of the handbills "The manager requests that no gentleman will smoke in the boxes or pit." Columbian Herald or New Daily Advertiser, May 3, 1796.

‡ General Advertiser, October 25, 1795.

and drew all the farmers for miles around. One had a lion,* another an ostrich,† another a cassowary, another a learned pig,‡ another a dwarf, another a buffalo,# another the first African elephant that ever was seen in the United States. The creature danced "Yankee Doodle," drew corks, ate, as the handbills set forth, ninety pounds of food and drank half a barrel of water each day. ‖ There were wax-figures and musical clocks, and "thunder-houses" ^ and automatons without number. ◊ Any man who could perform a striking experiment in physics, who knew enough of "catoptrics" to make a "penetrating spy-glass" or a "shade," who had acquired knowledge enough of electricity to build a "thunder-house" or construct an "electrical and perpetual lamp," ‡ was sure of a large and attentive audience. Parties of pleasure would be made up, and people go in scores to behold the wonders provided for their amusement by Seignior Falconi, or Seignior Cressini, or Seignior Jonalty. Gases were exploded by electricity; men were "electrified"; sea-fights were represented by "shades"; automatons were made to perform. Now the subject was the conflict of the Salamander and the Butterfly, which took place, it was boastfully said, in a pool of real fire;‡ now the figures were Citizen Sans Culotte and Mr. Aristocrat;‡ now they

* Impartial Herald (Newburyport), May 19, 1795.

† Virginia Argus, November 15, 1799. Aurora, November 10, 1795.

‡ Porcupine's Gazette, January 10, 1797.

Baltimore Daily Repository, February 7, 1793. City Gazette and Daily Advertiser (Charleston), January 7, 1797.

‖ Eastern Herald, May 2, 1796. Massachusetts Mercury, October 24, 1797.

^ Columbian Mirror, April 30, 1795.

◊ At an exhibition at Lee's Coffee-House, at Hartford, the automatic figures were: A Butcher slaying an Ox; Beheading of John the Baptist; a Canary-Bird whistling Tunes; a Prussian Huzzar; a Chimney-Sweep; a Bullfinch and Canary-Bird "singing as natural as life." Connecticut Courant, August 7, 1797.

‡ Connecticut Gazette, November 5, 1795.

‡ A long description, with a wood-cut, appears in American Daily Advertiser, September 11, 1795.

‡ Citizen Sans Culotte and Mr. Aristocrat were two life-size figures, which, when wound up, turned somersaults, danced to music, saluted the company, and disappeared. Mr. Aristocrat could never be made to dance the Carmagnole, or to make any move when "Ça ira" was played. When the French excitement of 1794 was at its height, the figures were exhibited at Philadelphia in the rooms of Mr. Poor's Academy, a famous school for girls. The school was at 9 Cherry

were Mr. Aristocrat, Mr. Democrat, and Mrs. Moderate; again they were Citizen Democrat, Mr. Aristocrat, and Miss Modern, a young woman from Boston; now the French king was guillotined in an automaton, to the delight of those that came to the showman's room from nine in the morning until nine at night.* But the greatest automaton of all was the Indian Chief. Till the chess-player appeared, his equal was not seen. Nor should the name of a Frenchman who diverted the multitude be forgotten. Did he live in our time he would be known as an aëronaut. But, in the language of his own day, Blanchard was described as a man who experimented in aërostatics. When the balloon was still a new invention he

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Alley, between Third and Fourth streets, "near the sign of the white lamb." For some account of the figures, see American Daily Advertiser, March 10, 1794.

* The advertisement is worth citing in full as a specimen of its kind:

EXHIBITION

Of Figures in Composition at Full Length

(Corner of Second and Callowhill Streets),

—At the Sign of the Black Bear—

LATE King of France, together with his Queen, taking her last Farewell of him in the Temple the day preceding his execution. The whole is a striking likeness, in full stature, and dressed as they were at the time.

The King is represented standing, his Queen on her knees by his right side, overwhelmed with sorrow and ready to faint, the King looking tenderly at her.

Second is the Scaffold on which he was executed, whereon the King stands in full view of the Guillotine; before him is a Priest on his knees with a Crucifix in one hand and a Prayer-Book in the other; on the side of the Guillotine stands the executioner prepared to do his duty.

When the first signal is given the Priest rises on his feet, the King lays himself on the block, where he is secured; the executioner then turns and prepares to do his duty; and, when the second signal is given, the executioner drops the knife and severs the head from the body in one second; the head falls in a basket, and the lips, which are first red, turn blue; the whole is performed to the life by an invisible machine without any perceivable assistance.

Made by the First Italian Artist of the Name of

COLUMBA.

The workmanship has been admired by the most professed judges wherever it has been seen.

*** The proprietors humbly hope for the encouragement of the public, as nothing shall be wanting on their part to render the exhibition *pleasing* and *satisfactory* to their patrons.

Price, 3s. Children, half price.

To be seen from 9 o'clock in the morning until 9 at night. Daily Advertiser, November 21, 1794.

had gained fame as a daring voyager, had made many ascensions in France, had crossed the English Channel from Dover to Calais, had come to America in 1792, bringing with him a parachute, a balloon, four thousand two hundred pounds of vitriolic acid, and had informed the public that he would go up, God willing, from the prison-yard at Philadelphia on the ninth of January, 1793. Some doubts were expressed on the propriety of men and women of decent character attending at the prison; but they were speedily removed, and, when the time came, half the city was there. On that day no business was done, no trades were made, no shops were open, till the balloon was lost to sight. From sunrise till ten in the forenoon cannon were discharged incessantly. At nine the inflation began. The bag was of green taffeta; the "gaz" was that which is produced when vitriolic acid is mingled with iron chips. At ten Blanchard stepped into the car, received a paper from Washington, threw out the ballast, and was soon beyond reach of the shouts that came up from the multitude that covered the vacant lots and housetops of the city and stood upon the hills for miles around. Many galloped down the Point road in hope of overtaking him; but they soon came back, declaring that the balloon was out of sight. At seven in the evening he was once more in the city, paying his respects to the President. The experiment was pronounced a complete success. All manner of uses to which the balloon might be put were suggested, both in jest† and earnest. At Philadelphia money was raised to pay back the four hundred guineas the experiment had cost.‡ From New York came a request that M. Blanchard would make a second ascent from the Battery Park.# He declined, made haste to put up a

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* Independent Gazetteer, January 12, 1793.

† "Grand Blanchard, lorsque tu voleras dans les airs,
Va annoncer aux planettes de l'univers
Que le François ont vaincu leurs ennemis intérieurs,
Leur intrépidité a expulsé les extérieurs;
Pénétre dans l'Olympe, et dis à tous les dieux,
Que les François ont été les victorieux;
Prie Mars que les armes de la France
Ne laisse aux tirans aucune espérance."

‡ Independent Gazetteer, January 26, 1793. # Ibid., March 2, 1793.

huge rotunda in the rear of Governor Mifflin's house, and there for a time exhibited the balloon.* But trouble soon overwhelmed him. The boys stoned his balloon, and it collapsed.† Then he exhibited a parachute ‡ at Ricketts's Circus on Market street, and a carriage dragged by an automatic eagle at his rotunda on Chestnut street.# But the town gave him small support. He fell into debt, his property went to other hands, and for many years the country heard no more of parachutes and balloons.

In the museums was gathered material which did much for the education of the people. The Columbian was at Boston. A second was in an empty room in the garret of the State-House at Hartford. Another was in the City Hall at New York. The best was that of Mr. Peale, at Philadelphia. There were a mammoth's tooth from the Ohio, and a woman's shoe from Canton; nests of the kind used to make soup of, and a Chinese fan six feet long; bits of asbestos, belts of wampum, stuffed birds, and feathers from the Friendly Isles; scalps, tomahawks, and long lines of portraits of great men of the Revolutionary War. To visit the museum, to wander through the rooms, play upon the organ, examine the rude electrical machine, and have a profile drawn by the physiognotrace, were pleasures from which no stranger in the city ever abstained. There, too, was the circus where Mr. Ricketts delighted his audience with Gilpin's ride, or, mounted on the bare back of a galloping horse, danced a hornpipe, or went through the exercises of the manual of arms.

From sights such as these the countrymen went back to the enjoyment of the festivities of the rural towns. If they were so fortunate as to live to the westward of the city, the road commonly taken was the Lancaster pike. Running out from

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* Independent Gazetteer, January 26, 1793.

† See his singular letter in American Daily Advertiser, May 29, 1793.

‡ Independent Gazetteer, June 8, 1793; also, The Courier, November 4, 1795.

In the advertisement of this exhibition appears the request that "Gentlemen having dogs accustomed to the chase will please not bring them, as experience has shown they may be very dangerous to the Eagle." Ibid., August 24, 1793. Blanchard was the first of sensational advertisers. He carried on imaginary correspondences in the newspapers, made his private affairs public, and put a *fac simile* of his signature at the end of his letters that appeared in print.

Philadelphia to Lancaster, it was, by the testimony of all travellers, the finest piece of highway in the United States.* In 1792, when the desire to speculate was rife in the land, a number of gentlemen organized a company to build the road. The charter was secured, the books were opened, and in ten days two thousand two hundred and seventy-five subscribers put down their names for stock. This was more than the law allowed. The names were, therefore, placed in a lottery-wheel, six hundred drawn in the most impartial manner, and, with their subscriptions, the work was begun. But of road-making the Americans of that day knew nothing. When the land had been condemned, when the trees had been felled, and the road-bed made ready, the largest stones and boulders that could be found were dragged and rolled upon it. Earth and gravel were then thrown on, and the work pronounced complete. But, when the heavy rains came, the errors of the road-makers were plain to all. Great holes appeared on every side. Huge stones protruded from the track, and, as the horses stumbled and floundered along it, numbers of them sank to their knees between the boulders, and were drawn out with broken legs. In this strait an Englishman, who had seen many a road built on the Macadam plan, offered to undertake the work. The company consented, and the road became the first turnpike in the United States.

This fact alone was sufficient to awaken opposition and alarm. That a company of private citizens should have authority to take land against the will of its owners; that they should have a right to send a band of surveyors over the farms of their neighbors to mark down a turnpike wherever seemed most fit, through the barn-yards, or the wheat-fields, or the orchards; and that, when it was built, they should forbid the men whose land they had seized to drive so much as a lame horse over the road till a toll had been paid, was, in the opinion of many, a most dangerous grant of power. The mal-

* "There is, at present" (1796), "but one turnpike-road on the continent, which is between Lancaster and Philadelphia, a distance of sixty-six miles, and is a masterpiece of its kind; it is paved with stone the whole way, and overlaid with gravel, so that it is never obstructed during the most severe season." Journal of a Tour in Unsettled Parts of North America in 1796 and 1797. Francis Baily, p. 107.

contents, therefore, held a meeting, one day in May, 1793, at the Prince of Wales Tavern. Some came to it because they felt aggrieved that the company had not bought strips of their lands, or given them work to do upon the road. Some had farms near Philadelphia. These feared that a good highway to Lancaster would enable farmers twenty miles away to compete with them in Market street on Wednesday and Saturday of each week. The chairman of the gathering was George Logan. The meeting passed a set of resolutions denouncing the Legislature for chartering the company. The chairman, with one to assist him, drew up an address to the people. Acts to incorporate a few men of wealth and give them power to violate property by digging canals and building turnpikes were, the resolutions declared, unjust and dangerous to the rights of the people. The justification of these unprecedented laws was, the address set forth, public good. This was pretence. The company had nothing of the kind in view. Sordid motives of private emolument were its only guide. The weakness of the legislators who suffered themselves to be misled by such tricks was pitiable. But the artifices of those who secured the passage of the laws were to be viewed with indignation and alarm. The Legislature was intrusted by the sovereign power, the people, with the duty of protecting them, their property, and their lives. Did the duty of protecting give the right to take away the property of one man and bestow it on another? The address closed with citations from Burlamaqui, from Blackstone, and the Laws of Edward III.

The next day a sharp reply was published. The movers of the enterprise, the answer said, well knew that Nature had placed great obstacles in their way. They expected the novelty of the work would create more. But they had never for a moment believed they would be opposed and hindered by the very men for whom they were doing so much. They had, indeed, seen Doctor Logan hurrying through the country, like a Bedlamite escaped from a cell, brawling in the taverns, vilifying congressmen, posting up handbills with the specious words Liberty, Property, and No Excise, and seeking, in a thousand ways, to stir up opposition to the laws of the land. In all this he had been acting as a private man. Now, however, he was

transformed into the chairman of a meeting, and assisted by one Edward Heston. It was easy to see why Heston was present. He had long given the company a warm support, had sold it some of his land, and had served it as an overseer of the work at one dollar a day. But, finding he was about to be discharged, he had resigned, and was taking his revenge in opposition. That the Legislature had incorporated a few rich men was not true. No set of men in particular had been incorporated. The books of the company had been open to the public. Any one might have subscribed. Half the stock issued was, in fact, held by the farmers of Chester and Lancaster. As to the arguments from Blackstone, they were valueless. The Doctor had taken a sentence here and another there, and tacked them together. If he read Van Swieten in the same way, he would some day be prescribing fish-hooks, instead of rhubarb and calomel, for a child with worms. In one part of the New Testament were the words, "Judas went and hanged himself." In another, "Go thou and do likewise." Let the Doctor join these two sentences, and then follow the advice they contained.*

Despite the opposition, the road-building went on, and more than one man who came to the Prince of Wales Tavern in 1793 lived to see the Lancaster turnpike the pride of the whole State. To this day, in every town along the route, old men may be found who delight to recall the times when the pike was in its prime, when trade was brisk, when tavern-keepers grew rich, when the huge sheds were crowded with the finest of horses, and when thousands of Conestoga wagons went into Philadelphia each week creaking under the yield of the dairy and the produce of the famous Pennsylvania farms.

Nor was the reputation of the farms undeserved. Many of the settlers in the four counties through which the road ran were Germans, and wherever a German farmer lived there were industry, order, and thrift. The size of the barns, the height of the fences, the well-kept wheat-fields and orchards, marked off the domain of such a farmer from the lands of his shiftless Irish neighbors. His ancestor might, perhaps, have left a home in Alsace or Swabia, Saxony or the Palatinate, a well-

* American Daily Advertiser, May 25, 1793. For the replies of Logan and Heston, see the Advertiser of May 30, 1793.

to-do man. But he was sure, ere he reached Philadelphia, to be reduced to a state of beggary and want. Ship-captains and ship-owners, sailors and passengers, rifled his chests and robbed him of his money and his goods. Then, with no more worldly possessions than the clothes he had on his back, and the few coins and the copy of the Heidelberg Catechism, or Luther's Catechism, or Arndt's Wahres Christenthum, he had in his pockets, he was at liberty to earn the best living he could, save a few pounds, buy ten or twenty acres of forest-land, make a clearing, and begin to farm. The underbrush he grubbed. The trees he cut down, and, when he had burned them into convenient lengths, his neighbors came in to drink brannt-wein and help him log-roll. It was long before his house was anything better than a well-built cabin of logs. In it he lived in the simplest manner with the strictest economy. He came from a land where wood was dear. The huge open fireplace, the glory of a New England kitchen, seemed, therefore, to him to produce a shameful waste of fuel. His rooms were warmed and his food was cooked by the fire in a ten-plate iron stove which sent the smoke and gases up the flue of a solitary chimney that rose from the middle of the house.* His food was chiefly pork and rye, onions and sauerkraut, milk and cheese, turnips and Indian corn. Sometimes fresh meat was added. But no beeves nor sheep were slaughtered till every part of the carcass had been disposed of among the families on the neighboring farms.† With this exception, everything he ate grew upon his own land. Everything he wore was made under his own roof. The good wife and her daughters cultivated the garden-patch that lay near the house, trained the honeysuckles that shaded the door, spun the flax and woollen yarn, worked the loom, made the cheese and butter, and, when harvest came, toiled with the sickle in the field. If he had a servant on the farm, the man or woman was a redemptioner.

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* Schoepf's Reise durch Pennsylvanien, 1783, p. 185.

† "I asked him where he purchased his meat. He says, 'When a farmer kills beef, mutton, or veal, he advertises his neighbors, who take what they choose, and he sells the remainder.'" New Travels in the United States of America. De Warville, p. 254.

In 1800 a redemptioner was always a person in the depths of poverty, who, for transportation to the United States, willingly became a slave. The time, the conditions, the recompense of the bondage, were fully expressed in the contract, and the contract placed on record.* Ship-captains and ship-agents would rarely accept a shorter term of service than three years. The redemptioners would rarely give more than eight; stipulated for meat, drink, lodging, and apparel, and the customary freedom suits when their time was out. One of their suits must be new, or ten pounds currency be given in its stead. Twenty pounds one-and-six was the price for which a redemptioner sold, whether man or woman, whether the time of service was long or short. Children brought eight to ten pounds, were to have at least one quarter at some day or night school, were to be taught to read and write, and, occasionally, some trade.† The whole relation of master to servant was prescribed by law. No redemptioner could be sold and sent out of Pennsylvania till he and two justices of the peace had given their consent. None could be assigned out of the county where service began till the servant and one justice approved. Should he labor faithfully and well for four years, he was, when his service ended, to receive from the master or the mistress two complete suits of clothes, a grubbing-hoe, a weeding-hoe, and a new axe. For each day he absented himself from labor without his master's leave, five days were to be added to his service-time. If he married without permission, he must serve

* The language of the contract was:

"This Indenture, made the .... day of ....., in the year of the Lord one thousand seven hundred and ...., between ..... of the one part and ..... of the other part, *witnesseth* that the said ..... doth hereby covenant, promise, and grant to and with the said ....., executors, administrators, and assigns, from the day of the date hereof until the first and next arrival at ..... in America, and after, for, and during the term of .... years to serve in such service and employment as the said ..... or ..... assign, shall there employ ....., according to the customs of the country in the like kind. In consideration whereof the said ..... doth hereby covenant and grant to and with said ..... to pay for .... passage, and to find and allow ..... meat, drink, apparel, and lodging, with other necessaries, during the said term, and at the end of the said term to pay unto .... the usual allowance, according to the customs of the country in kind. In witness whereof," etc.

† Registry of the Redemptioners, 1785–1817, in Pennsylvania Historical Society.

an additional year. If he ran away, any one who hid him or fed him or gave him keep for four-and-twenty hours, without sending word to a justice, was liable to a fine of twenty shillings for each day. To apprehend him was a meritorious act, and rewarded with ten shillings if he were ten miles from home, and twenty shillings if the distance were greater. To buy of him, to trade with him, to sell to him, unless the master first approved, was an offence in the eye of the law, and punishable by fine.

Save so far as these laws hindered, the ship-captains were free to do with their bondsmen what they pleased. They parted husband from wife; they separated children from parents; nay, one brute, when the yellow fever was devastating Philadelphia in 1793, shocked the people of Chester by sailing up the Delaware with a cargo of redemptioners, and seeking to sell them as nurses to the sick.

Among the Germans, as among farmers of all sorts, agriculture was believed to be much affected by the moon. Grain should not be sown, orchards should not be pruned, reaping should not begin, till the proper moon had reached its proper quarter and appearance. Whether it lay upon its back or stood upon its horn, whether it gave promise of drought or rain, were all matters of deep concern. When at last the crops had been gathered, the labor of transporting them began. Then the great wagons were brought from under the shed, and, while the men put on the load, the women made ready the provisions for the whole trip. The capacity of the vehicles was often four tons. Their covers of linen were high at each end and low in the middle. Their wheels were at times fifteen inches wide. The horses that tugged them through the mire of the country roads were of the far-famed Conestoga breed. These creatures were of English origin. Some emigrants who settled in Chester county brought a few horses with them. From the English in turn the Swiss Mennonites obtained that stock which, in the valley of the Pequea and along the banks of Conestoga Creek, they brought to a high state of perfection. The horse and the ox were the only draught animals in general use. The mule was almost unused.

Twelve years had not passed since the first pair of jacks in

America landed at Portsmouth, in New Hampshire. The King of Spain had sent them to Washington, that mules might be bred at Mount Vernon.* In a few years the progeny of "Royal Gift" was scattered over the plantations of northern Virginia,† and regularly offered for sale on the race-course at Annapolis.‡ Other jacks were afterward imported from Spain# by numbers of breeders, and finally great cargoes of mules.‖ Yet the animals were little used north of the Virginia line.△ In every State the number of farmers who had ever in their lives beheld a mule was extremely small. Through the whole farming region of New England and New York ox-carts and ox-sleds were oftener met with than horses and wagons. There most of the vehicles went upon two wheels. Only in the large towns were chariotees and coachees, gigs, carriages, and stage-coaches to be seen.

The stage-coach was little better than a huge covered box mounted on springs. It had neither glass windows, nor door, nor steps, nor closed sides. The roof was upheld by eight posts which rose from the body of the vehicle, and the body was commonly breast-high. From the top were hung curtains of leather, to be drawn up when the day was fine, and let down and buttoned when rainy and cold. Within were four seats. Without was the baggage.◊ Fourteen pounds of luggage were allowed to be carried free by each passenger. But if his portmanteau or his brass-nail-studded hair trunk weighed

* See the letter of Washington to Count de Florida Blanca, December 15, 1795.

† Maryland Gazette, April 21, 1796.

‡ Ibid., September 19 and 26, 1793.

Ibid., November 5, 1795; also June 2, 1796.

‖ See an offer to deliver sixty or seventy in Boston ten days after contract. Independent Chronicle, June 13, 1796.

△ Notices of mules lost or for sale, or of jacks to cover, appear from time to time after 1795 in the newspapers in various parts of the country. Mules strayed. Connecticut Gazette, November 26, 1795. Notice of a "jack." Grafton, Minerva, and Haverhill Weekly Bud, May 26, 1796. For sale. Richmond Chronicle, October 27, 1795. To cover. North Carolina Gazette (Newbern), April 2, 1796.

◊ For some account of the stage-coach, see Journal of a Tour in the Unsettled Parts of North America. Francis Baily, pp. 107, 108. New Travels in the United States of America. Brissot de Warville, pp. 172–175. London edition, 1792. A fine picture of the "American Stage-wagon" is given in Weld's Travels. London edition, p. 15.

more, he paid for it at the same rate per mile as he paid for himself. Under no circumstances, however, could he be permitted to take with him on the journey more than one hundred and fifty pounds. When the baggage had all been weighed and strapped on the coach, when the horses had been attached and the way-bill made out, the eleven passengers were summoned, and, clambering to their seats through the front of the stage, sat down with their faces toward the driver's seat. On routes where no competition existed progress was slow, and the travellers were subjected to all manner of extortion and abuse. "Brutality, negligence, and filching," says one, "are as naturally expected by people accustomed to travelling in America as a mouth, a nose, and two eyes are looked for in a man's face." Another set out one day in March, 1796, to go from Frenchtown to New Castle, on the Delaware. Seventeen miles separated the two towns, a distance which, he declares, a good healthy man could have passed over in four hours and a half. The stage-coach took six. When it finally reached New Castle it was high noon, the tide was making, the wind was fair, and the boat for Philadelphia was ready at the wharf. Yet he was detained for an hour and a half, "that the innkeeper might scrub the passengers out of the price of a dinner." Dinner over, the boat set sail and ran up the river to within two miles of Gloucester Point. There, wind and tide failing, the vessel dropped anchor for the night. Some passengers, anxious to go on by land, were forced to pay half a dollar each to be rowed to the shore. At one in the morning the tide again turned. But the master was then drunk, and, when he could be made to understand what was said, the tide was again ebbing, and the boat aground.* Evening came before the craft reached Philadelphia. The passengers were forty-eight hours on board. Another came from New York by stage and by water. He was almost shipwrecked in the bay, lost some of his baggage at Amboy, was nearly left by the coach, and passed

* Says another: "After sailing down the Delaware about ten hours in the water-stage, our skipper ran us on a sand-bank. As there was no remedy but to wait patiently the flow of the tide, a party of us borrowed a boat and went a-shooting on the islands with which this part of the Delaware abounds." Travels in the United States of America, etc. Priest, p. 73.

twenty hours going sixteen miles on the Delaware. The captain was drunk. The boat three times collided with vessels coming up the river.* A gentleman set out in February to make the trip from Philadelphia to Baltimore. Just beyond Havre de Grace the axle broke. A cart was hired and the passengers driven to the next stage-inn. There a new coach was obtained, which, in the evening, overset in a wood. Toward daylight the whole party, in the midst of a shower of rain and snow, found shelter and breakfast at a miserable house three miles from Baltimore. But the host would not suffer one of them to dry his clothes by the kitchen stove. When an editor in the town was asked to publish an account of their trip he refused. The owners of the coach-line might, he said, hinder the circulation of his newspaper.† To add to the vexation of such delays "the Apostolic Assembly of the State of Delaware" had forbidden stage-coaches to cross their "hand's-breadth of territory" on the Sabbath.‡ The worst bit of road in the country seems to have been between Elkton, in Maryland, and the Susquehanna Ferry. There the ruts were so deep that, as the wheels were about to enter one, the driver would call upon the passengers to lean out of the opposite side of the coach, to prevent the vehicle being overturned. "Now, gentlemen," he would say, "to the right." "Now, gentlemen, to the left."#

Yet another traveller had quitted Philadelphia for New York. All went smoothly till the coach drew near to the town of Brunswick. There one of a rival line was overtaken, and a

* The History of the United States for 1796, pp. 274, 275.

† American Annual Register, pp. 34, 35. "The complaint is not confined to a single journey, and much less to a single passenger. Many coaches were last season overturned. Many passengers were bruised." Baily, p. 36. "Waited at Baltimore near a week before I could proceed on my journey, the roads being rendered impassable." Journal of a Tour in Unsettled Parts of North America in 1796 and 1797. F. Baily, p. 107. For accident near Havre de Grace, see p. 108. For one near Newport, in Delaware, see pp. 109, 110.

‡ American Annual Register, or Historical Memoirs of the United States for the Year 1796, pp. 36, 37. The punishment was £50 fine and six months imprisonment.

Travels through the State of North America and the Provinces of Upper and Lower Canada during the Years 1795, 1796, and 1797. By Isaac Weld, Jr. London edition, p. 22.

race begun. At Elizabethtown a young woman, well mounted, rode up behind the coach and attempted to pass. In an instant half the men on the stage began to revile her most shamefully, raised a great shout, frightened her horse, and all but unseated her. One, indeed, ventured to expostulate. But he was quickly silenced by the question, "What! suffer anybody to take the road of us?" * At New York three of the passengers found lodgings in a single room at an inn. The custom was a general one, and of all customs was the most offensive to foreigners.† No such thing, it was said, was ever seen in the British Isles. There every decent person not only had a bed, but even a room to himself, and, if he were so minded, might lock his door. ‡ In America, however, the traveller sat down at the table of his landlord, slept in the first bed he found empty, or, if all were taken, lay down on one beside its occupant without so much as asking leave, or caring who the sleeper might be.# If he demanded clean sheets, he was looked upon as an aristocrat, and charged well for the trouble he gave; for the bedclothes were changed at stated times, and not to suit the whims of travellers.

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* The History of the United States for 1796, p. 274.

† "Four beds in a room crowded pretty close together; these beds laid on a kind of frame without any curtains, and the room itself, without any ornament save the bare white walls, indicated, without any other assurance, my removal into a strange country." The inn alluded to was the Eagle Tavern at Norfolk. Baily's Journal of a Tour in Unsettled Parts of North America in 1796 and 1797, p. 100. "What can be the reason for that vulgar, hoggish custom, common in America, of squeezing three, six, or eight beds into one room?" Letter from a gentleman in Philadelphia to his friend in Baltimore, dated April 25, 1796. The History of the United States for 1796, p. 276.

‡ The History of the United States for 1796, p. 276.

"An American sits down at the table of his landlord, and lies down in the bed which he finds empty, or occupied by but one person, without in the least inquiring, in the latter of these cases, who that person may be." Travels through the United States of North America. Duc de la Rochefoucauld-Liancourt, vol. i, p. 68. "There [a Nashville tavern] we met with good fare, but very poor accommodations for lodgings; three or four beds of the roughest construction in one room, which was open at all hours of the night for the reception of any rude rabble that had a mind to put up at the house; and if the other beds happen to be occupied, you might be surprised when you awoke in the morning to find a *bedfellow* by your side whom you had never seen before, and perhaps might never see again. All complaint is unnecessary, for you are immediately silenced by that all-powerful argument, *the custom of the country*. . . ." Journal of a Tour.

It was not against every tavern, however, that this reproach could be brought. Many a New England village inn could, in the opinion of the most fastidious of Frenchmen, well bear comparison with the best to be found in France. The neatness of the rooms, the goodness of the beds, the cleanliness of the sheets, the smallness of the reckoning, filled him with amazement.* Nothing like them were to be met with in France. There the wayfarer who stopped at an ordinary over night slept on a bug-infested bed, covered himself with ill-washed sheets, drank adulterated wine, and to the annoyance of greedy servants was added the fear of being robbed.† But in New England he might with perfect safety pass night after night at an inn whose windows were destitute of shutters, and whose doors had neither locks nor keys. Save the post-office, it was the most frequented house in the town. The great room, with its low ceiling and neatly sanded floor, its bright pewter dishes and stout-backed, slat-bottomed chairs ranged along the walls, its long table, its huge fireplace, with the benches on either side, where the dogs slept at night, and where the guests sat, when the dipped candles were lighted, to drink mull and flip, possessed some attraction for every one. The place was at once the town-hall and the assembly-room, the court-house and the show-tent, the tavern and the exchange. There the selectmen met. There the judges sometimes held court. On its door were fastened the list of names drawn for the jury, notices of vendues, offers of rewards for stray cattle, the names of tavern-haunters, and advertisements of the farmers who had the best seed-potatoes and the best seed-corn for sale. It was at the "General Greene," or the "United States Arms," or the "Bull's Head," that wandering showmen exhibited their automatons and musical clocks, that dancing-masters gave their lessons, that singing-school was held, that the caucus met, that the colonel stopped

Baily, p. 414. Weld complains of being crammed into rooms where there was scarcely sufficient space to pass between the beds. Travels through the States of North America during the Years 1795, 1796, 1797. Isaac Weld, Jr., pp. 35, 84.

* New Travels in the United States of America. Brissot de Warville, pp. 123, 124. London edition, 1792. The tavern to which he particularly alludes was at Spencer.

† Ibid., p. 124.

during general training. Thither came the farmers from the back country, bringing their food in boxes and their horses' feed in bags, to save paying the landlord more than lodging rates. Thither, many a clear night in winter, came sleigh-loads of young men and women to dance and romp, and, when nine o'clock struck, go home by the light of the moon. Thither, too, on Saturdays, came half the male population of the village. They wrangled over politics, made bets, played tricks, and fell into disputes which were sure to lead to jumping-matches, or wrestling-matches, or trials of strength on the village green. As the shadows lengthened, the loungers dispersed, the tavern was closed, and quiet settled upon the town. At sundown the Sabbath began. Then the great Bible was taken from its shelf and devotion opened with Scripture-reading, with psalms, and a long season of self-examination and prayer. By eight o'clock every farmer's household was asleep. On the morrow no meals were cooked. No labor but the most necessary was done. Not the most innocent pleasures were allowed. To gather flowers in the fields, to stroll through the woods, to sit on the river-bank, was sinful. The whole family went in a body to meeting. When the distance was as great as four miles, the farmer would mount his horse and take his wife on the pillion behind. When he drove the two-wheeled cart, his wife enjoyed the comforts of a chair.* The boys walked barefoot. The girls bore their shoes and stockings in their hands, and, as they neared the meeting-house, stepped into the bushes to draw them on.† The horse-block where the pillion-riders got down was sometimes in the training-field, and sometimes hard by the steps that led to the meeting-house door. ‡ The sides of the building were unpainted, the roof was shingled, and often destitute of steeple or bell. The main door opened on a broad aisle that led to the high pulpit, with its green cushions and funnel-shaped sounding-board that hung, like an extinguisher, from the roof. A narrow aisle crossed the broad one midway and joined the doors on either side. Close to the

* Lewis and Newhall. History of Lynn, p. 348.

† Kingman. History of Bridgewater, pp. 373, 374.

‡ Reminiscences of a Nonagenarian, pp. 15, 16. History of Old Braintree and Quincy, p. 327.

four walls was a row of pews, separated by a continuous aisle from the body of the church. Beneath the pulpit sat the deacons, and just before them were the deaf-seats and benches for the old and feeble who owned no pews. In the front gallery sat the singers. The young women filled the wall-pews of the right-hand gallery. The little girls had benches. Spinsters and elderly women of the flock were given the first row of seats. In the left-hand gallery were the young men and boys.* There, too, was the tithing-man.

This great functionary was still chosen in the old way, and still attempted to carry out the duties ordered by law. Once each year the freemen of the township met, and elected persons of good substance and of sober life to be tithing-men. To them the community looked for a strict enforcement of the Sunday laws. They were to see to it that the taverns were shut, that the village was quiet, that none behaved with levity, that no artificer nor laborer did a stroke of work, and were to ask of all who travelled on the Sabbath their names, their purposes, and whither they were bound. But the day when men would answer such questions was gone. The tithing-man who, in 1800, rushed from the meeting-house to stop the driver of a coach or a four-wheeled carriage or a sleigh, and bid him give his name, was likely to get a surly answer, and be left standing in the road while the transgressor drove rapidly away. Pious men complained that the war had been a great demoralizer. Instead of awakening the community to a lively sense of the goodness of God, the license of war made men weary of religious restraint. The treaty of peace had not been signed, the enemy were still in the land, when delegates to the General Court of Massachusetts boldly said the Sabbath was too long. Country members demanded a Sabbath of thirty-six hours; town members would give but eighteen, and had their way. The effect was soon apparent. Levity, profaneness, idle amusements, and Sabbath-breaking increased in the towns with fearful rapidity. What, the sober-minded cried out, is to become of this nation? Before the war nobody swore, nobody

* Reminiscences of a Nonagenarian, pp. 15, 16. History of Old Braintree and Quincy, p. 234. History of Pittsfield, pp. 157, 158. The Town of Roxbury, pp. 285, 286. History of Spencer, p. 89.

used cards. Now every lad is proficient in swearing, and knows much of cards. Then apprentices and young folks kept the Sabbath, and, till after sundown, never left their homes but to go to meeting. Now they go out more on the Sabbath than on any other day in the week. Now the barber-shops are open, and men of fashion must needs be shaved on the Lord's day. They ride on horseback; they take their pleasure in chaises and hacks. How much better, they say, is this than sitting for two hours in a church hearing about hell? Who would not rather ride with a fine young woman in a hack than hear about the devil from Adam's fall?

Against this impiety, the impiety of the nineteenth century, the tithing-man continued fighting stoutly to the last. He was the rear guard of New England Puritanism, covering it as it slowly retreated into the past.

When the deacons had taken their seats, when the congregation had all come in, a sudden rush into the men's gallery served to announce that the minister was near. As he walked gravely down the broad aisle, whispering would cease, and, in the midst of profound silence, the sexton would hasten to his seat on the pulpit-steps. Then the minister would rise and read two lines of a psalm, a deacon would repeat them, the precentor with a pitch-pipe would set the key, and the congregation and the choir join in the song. The singing would now be thought abominable. The congregation that could drone ten tunes was an exception. York and Windsor, Martyrs, Hackney and St. Mary's, commonly made up the list. The days of "deaconing," it is true, were soon to end. The Bay Psalm-Book had already given place to Watts's Hymns. Singing-schools had become general. Choirs had been introduced, and with them had come a longing for the music of the organ and the bass-violin.

The hymn sung, a prayer followed; then a sermon, and after the sermon the benediction and a long pause. The reverend man would then quit the pulpit, take his wife on his arm, and, followed by his children, go bowing and smiling out. The congregation were then at liberty to leave. Some, who came from afar, would be carried off to partake of a cold lunch at a friend's, and there wait for the service of the afternoon. Others

would eat their luncheon in the pews. Such waiting in summer was thought little of. But in winter not the sturdiest among them could call it pleasant. Not a meeting-house was warmed. Not a chimney, not a fireplace, not a stove was to be seen. Stories have come down to us of a minister who, in the depth of winter, preached in great-coat and mittens, and complained that his voice was drowned by persons stamping and knocking their feet to keep warm.* Yet nothing was done to improve this. In Connecticut a few obtained "winter privileges" and stayed away. Others were suffered to put up "Sabbath-day houses," or "noon-houses," † hard by the meeting-house on the road. They were rude structures, sixteen feet square, with a door on one side and a window on another. To them, when morning service was ended, the people would flee to eat and warm themselves by an open fire that almost took up one side of the house. Indulgences of this kind were not approved of in Massachusetts. There even old and feeble women were forced to be contented with tin foot-stoves and a few hot coals. The expenses of maintaining the meeting-house were great enough without the addition of fires and stoves. The chief outlay was the settlement of the minister and his pay. The settlement was a sum of money bestowed when he assumed charge of the church. Rarely did it exceed two hundred pounds currency, and was payable, in four annual instalments, in boards and shingles, corn or produce, or whatsoever the congregation saw fit. His salary might be any amount from seventy five to one hundred and forty pounds, Massachusetts currency. ‡ Translated into the language of the Federal coinage, seventy-five pounds would have been expressed by two hundred and fifty dollars. This translation, however, seldom

* Davis. History of Wallingford, pp. 414, 415.

† History of Warwick, p. 99. History of Waterbury, p. 228.

‡ For the salary of New England ministers, see History of Belfast. $300. Williamson, pp. 232, 233. G. A. and H. W. Wheeler, History of Brunswick, Topham and Harpswell, p. 409, £85. History of Norwich, p. 471, £135. Emerson's History of Douglas, p. 97, £132. Fox, History of Township of Dunstable, p. 167, £53 6s. 6d. ($180). Windsor, History of Duxbury, p. 207, £80. Taylor, History of Great Barrington, p. 323, £200. Felt, History of Ipswich, Essex, and Hamilton, p. 278, $367. Clark, History of Norton, p. 174, £80. Blake, History of Warwick, pp. 82, 83, £70 in silver. In New England, $3.33 made a pound currency.

took place. A few great towns, a few importers and merchants, a few men of enterprise and push, made use of the Federal terms. But the people still adhered to the ancient way, and bought, sold, and kept their accounts in pounds, shillings, and pence.* Travellers from abroad were amazed at this, and smiled to see a tradesman, who wished to pay three shillings four and a half pence to his customer, put down on the counter a quarter, an eighth, and a sixteenth of a Spanish milled dollar, two half-pence of George II and one of George III. † Six dimes would, in New England, have served as well. Dimes, however, were scarce. Numbers of men had never seen one. Their circulation was confined to the seaports and the Eastern towns. Not one was to be met with in the cabins of the far West.

What was then known as the far West was Kentucky, Ohio, and central New York. Into it the emigrants came streaming along either of two routes. Men from New England took the most northern and went out by Albany and Troy to the great wilderness which lay along the Mohawk and the lakes. They came by tens of thousands from farms and villages, and represented every trade, every occupation, every walk in life, save one: none were seafarers. No whaler left his vessel; no seaman deserted his mess; no fisherman of Marblehead or Gloucester exchanged the dangers of a life on the ocean for the privations of a life in the West. Their fathers and their uncles had been fishermen before them, and their sons were to follow in their steps. Long before a lad could nib a quill, or make a pot-hook, or read half the precepts his primer contained, he knew the name of every brace and stay, every sail and part of a Grand Banker and a Chebacco, all the nautical terms, what line and hook should be used for catching halibut, and what for mackerel and cod. If he ever learned to write, he did so at "writing-school," which, like singing-school, was held at night, and to which he came, bringing his own dipped-candle, his own paper, and his own

* Travels in the United States of America, commencing in the Year 1793 and ending in 1797. W. Priest, p. 65.

† Ibid, p. 66. Owing to the great number of counterfeits in circulation, the half-pence of George III passed at 360 to the dollar. Ibid., p. 66.

pen. The candlestick was a scooped-out turnip, or a piece of board with a nail driven through it. His paper he ruled with a piece of lead, to save the cost of a graphite lead-pencil. All he knew of theology, and much of his knowledge of reading and spelling, was gained with the help of the New England Primer. There is not, and there never was, a text-book so richly deserving a history as the Primer. The earliest mention of it in print, now known, is to be found in an almanac for the year 1691. The public are there informed that a second impression is "in press, and will suddenly be extant," and will contain, among much else that is new, the verses "John Rogers the Martyr," made and left as a legacy to his children. When the second impression became extant, a rude cut of Rogers lashed to the stake, and, while the flames burned fiercely, discoursing to his wife and nine small children, embellished the verses, as it has done in every one of the innumerable editions since struck off. The tone of the Primer is deeply religious. Two thirds of the four-and-twenty pictures placed before the couplets and triplets in rhyme, from

"In Adam's fall
We sinned all,"

to

"Zaccheus, he
Did climb a tree
Our Lord to see,"

represent biblical incidents. Twelve words of "six syllables" are given in the spelling-lesson. Five of them are abomination, edification, humiliation, mortification, purification. More than half the book is made up of the Lord's Prayer and the Creed, some of Watts's hymns, and the whole of that great Catechism which one hundred and twenty divines spent five years in preparing. There, too, are Mr. Rogers's verses, and John Cotton's "Spiritual Milk for American Babes"; exhortations not to cheat at play, not to lie, not to use ill words, not to call ill names, not to be a dunce, and to love school. The Primer ends with the famous dialogue between Christ, Youth, and the Devil.

Moved by pity and a wish to make smooth the rough path to learning, some kind soul prepared "A Lottery-Book for

Children." The only difficulty in teaching children to read was, he thought, the difficulty of keeping their minds from roaming, and to "prevent this precipitancy" was the object of the Lottery-Book. On one side of each leaf was a letter of the alphabet; on the other two pictures. As soon, he explained, as the child could speak, it should thrust a pin through the leaf from the side whereon the pictures were at the letter on the other, and should continue to do this till at last the letter was pierced. Turning the leaf after each trial, the mind of the child would be fixed so often and so long on the letter that it would ever after be remembered.

The illustrations in the book are beneath those of a patent-medicine almanac, but are quite as good as any that can be found in children's books of that day. No child had then ever seen such specimens of the wood-engraver's and the printer's and the binder's arts as now, at the approach of every Christmas, issue from hundreds of presses. The covers of such chap-books were bits of wood, and the backs coarse leather. On the covers was sometimes a common blue paper, and sometimes a hideous wall-paper, adorned with horses and dogs, roosters and eagles, standing in marvellous attitudes on gilt or copper scrolls. The letter-press of none was specially illustrated, but the same cut was used again and again to express the most opposite ideas. A woman with a dog holding her train is now Vanity, and now Miss Allworthy going abroad to buy books for her brother and sister. A huge vessel with three masts is now a yacht, and now the ship in which Robinson Crusoe sailed from Hull. The virtuous woman that is a crown to her husband and naughty Miss Kitty Bland are one and the same. Master Friendly listening to the minister at church now heads a catechism, and now figures as Tommy Careless in the "Adventures of a Week." A man and woman feeding beggars become, in time, transformed into a servant introducing two misers to his mistress. But no creature played so many parts as a bird which, after being named an eagle, a cuckoo, and a kite, is called, finally, Noah's dove.*

Mean and cheap as such chap-books were, the pedler who

* For the privilege of examining a fine collection of such books, I am indebted to the American Antiquarian Society, and to Mr. N. Paine, of Worcester, Mass.

hawked them sold not one to the good wives of a fishing village. The women had not the money to buy with; the boys had not the disposition to read. Till he was nine a lad did little more than watch the men pitch pennies in the road, listen to sea stories, and hurry at the cry of "Rock him," "Squael him," to help his playmates pelt with stones some unoffending boy from a neighboring village. By the time he had seen his tenth birthday he was old enough not to be sea-sick, not to cry during a storm at sea, and to be of some use about a ship, and went on his first trip to the Banks. The skipper and the crew called him "cut-tail," for he received no money save for the fish he caught, and each one he caught was marked by snipping a piece from the tail. After an apprenticeship of three or four years the "cut-tail" became a "header," stood upon the same footing as the "sharesmen," and learned all the duties which a "splitter" and a "salter" must perform. A crew numbered eight; four were "sharesmen" and four were apprentices; went twice a year to the Banks, and stayed each time from three to five months.

Men who had passed through such a training were under no temptation to travel westward. They took no interest; they bore no part in the great exodus. They still continued to make their trips and bring home their "fares," while hosts of New Englanders poured into New York, opening the valleys, founding cities, and turning struggling hamlets into villages of no mean kind. Catskill, in 1792, numbered ten dwellings and owned one vessel of sixty tons. In 1800 there were in the place one hundred and fifty-six houses, two ships, a schooner, and eight sloops of one hundred tons each, all owned there, and employed in carrying produce to New York. Six hundred and twenty-four bushels of wheat were brought to the Catskill market in 1792. Forty-six thousand one hundred and sixty-four bushels came in 1800. On a single day in 1801 the merchants bought four thousand one hundred and eight bushels of wheat, and the same day eight hundred loaded sleighs came into the village by the western road.* In 1790 a fringe of clearings ran along the western shore of Lake Champlain to the northern border, and pushed out through the

* Hampshire Gazette, April 1, 1801.

broad valley between the Adirondacks and the Catskills to Seneca and Cayuga Lakes. In 1800 the Adirondack region was wholly surrounded. The emigrants had passed Oneida Lake, had passed Oswego, and, skirting the shores of Ontario and the banks of the St. Lawrence, had joined with those on Lake Champlain. Some had gone down the valleys of the Delaware and Susquehanna to the southern border of the State. The front of emigration was far beyond Elmira and Bath. Just before it went the speculators, the land-jobbers, the men afflicted with what in derision was called "terraphobia." * They formed companies and bought millions of acres. They went singly and purchased whole townships as fast as the surveyors could locate, buying on trust and selling for wheat, for lumber, for whatever the land could yield or the settler give. Nor was the pioneer less infatuated. An irresistible longing drove him westward, and still westward, till some Indian scalped him, or till hunger, want, bad food, and exposure broke him down, and the dreaded Genesee fever swept him away. The moment such a man had built a log-cabin, cleared an acre, girdled the trees, and sowed a handful of grain, he was impatient to be once more moving. He had no peace till his little farm was sold and he had plunged into the forest, to seek a new and temporary home. The purchaser in time would make a few improvements, clear a few more acres, plant a little more grain, and then in turn sell and hurry westward. After him came the founders of villages and towns, who, when the cabins

* Such a speculator is described in the Wilkesbarre Gazette, October, 1796. ". . . He has been to Bath, the celebrated Bath, and has returned both a speculator and a gentleman, having spent his money, swapped away my horse, caught the fever and ague, and, what is infinitely worse, that horrid disorder which some call the terraphobia.

"We hear nothing from the poor creature now (in his ravings) but of the captain and Billy, of ranges, of townships, numbers, thousands, hundreds, acres, Bath, fairs, races, heats, bets, purses, silk stockings, fortunes, fevers, agues, etc., etc. My son has part of a township for sale, and it is diverting enough to hear him narrate its pedigree, qualities, and situation. In fine, it lies near Bath, and the captain himself once owned, and for a long time reserved, part of it. It cost my son but five dollars per acre; he was offered six in half a minute after his purchase; but he is positively determined to have eight, besides some precious reserves. One thing is very much in my boy's favor—he has six years' credit. Another thing is still more so—he is not worth a sou, and never will be, at this rate. . . ." A Farmer.

about them numbered ten, felt crowded and likewise moved away. Travellers through the Genesee valley tell us they could find no man who had not in this way changed his abode at least six times. The hardship which these people endured is beyond description. Their poverty was extreme. Nothing was so scarce as food; many a wayfarer was turned from their doors with the solemn assurance that they had not enough for themselves. The only window in many a cabin was a hole in the roof for the smoke to pass through. In the winter the snow beat through the chinks and sifted under the door, till it was heaped up about the sleepers on the floor before the fire.

Just behind the pioneers came the more thrifty settlers, a class long since historical and now almost extinct. During eighty years the emigrant train, so often portrayed both by painters and by travellers, has been gradually disappearing beyond the Alleghanies, beyond the Mississippi, beyond the Missouri, beyond the Rocky Mountains into the region of the extreme Northwest. To-day it can seldom be seen out of Washington and Oregon, and has reached the shores of Puget Sound. In 1800 the high-peaked wagons with their white canvas covers, the little herd, the company of sturdy men and women, were to be seen travelling westward on all the highways from New England to Albany, and from Albany toward the lakes. They were the true settlers, cleared the forests, bridged the streams, built up towns, cultivated the land, and sent back to Albany and Troy the yield of their farms. With them the merchants of the East kept up a close connection, exchanging rum and molasses, hoes, axes, iron pots, clothing, everything of which they stood in want, and receiving lumber, wheat, pot and pearl ashes in return. Favored by this great trade, Troy grew and prospered at an astonishing rate. The place may be said to have begun its existence in 1786, when a few men of push induced the owners of the Van Der Heyden farms to sell them some plots, and on these put up a few houses, and named the village Vanderheyden. From the very start it began to thrive. In 1791 it was made the county-seat; yet, even then, it was so small that the inhabitants were every Sunday summoned to church in the store by blasts upon a conch-shell. Two years

later Troy had a court-house and a jail, a church, the only paper-mill north of the Highlands, and in 1797 a weekly newspaper. The next year the Northern Budget was drawn away from Lansingburg and became a Troy weekly paper. In his appeal to the citizens the editor declares that, with the utmost economy, the expenses of his office are thirty dollars a week, and they sustained him. In 1799 the taxable property was over eight hundred and fifty thousand dollars. Grain and lumber was the source of this wealth. No sleigh that came into Troy with boards or logs, no wagon that rolled up to a granary with bags of grain, was suffered to go away loaded. Along the river-bank were great storehouses filled with bins. On the land-side was the lifting-tackle, by which the sacks of corn or wheat were raised to the loft and placed in the pan of the clumsy scales. The counter-weights were stones, and to weigh with them was a problem in arithmetic. On the water-side projected long spouts, through which the grain was poured into the sloops and schooners beneath. In the great flour-mills of Pennsylvania, grain elevators, with buckets not larger than a common teacup, were in use.

The second pathway over which thousands of emigrants rushed westward lay through the valley of the Ohio. As early as 1794 the trade between Pittsburg and Cincinnati had become so paying that a line of packet-boats began to ply between the two towns. They made the trip once a month, were bullet-proof, and, for defence against the Indians, carried six cannon throwing a pound-ball each, and were plentifully supplied with muskets and ammunition.

When Wayne quieted the Indians, the stream of emigration turned northward, and the territory northwest of the river filled rapidly. At the time the first census was taken there could not be found from the Ohio to the Lakes, from Pennsylvania to the Mississippi, but four thousand two hundred and eighty human beings. The second census gave to Ohio Territory alone a population of forty-five thousand three hundred and sixty-five. The numbers in Kentucky in the same period had swollen from seventy-three thousand six hundred to two hundred and twenty thousand nine hundred and fifty. This was nine thousand greater than in

the State of New Jersey. The figures of the census are expressive of the enormous exodus from New England.* The total increase of population in the five States of that section, including Maine, was two hundred and twenty-nine thousand. In the five Southern States the gain was four hundred and sixteen thousand. Of the New England States, four lost and one retained rank. Of the five Southern States, two lost rank, two gained rank, and Virginia remained first. Such was the emigration to New York that it rose from the fifth to the third State in the Union. North Carolina fell from the third in 1790 to the fourth in 1800. Thousands of her people had gone over the mountains to settle along the Cumberland, the Holston, and the Kentucky border, there to live a life of poverty, sacrifice, and independence. The centre of population had moved westward forty-one miles.†

* A comparison of the census of 1790 with that of 1800 will show the enormous increase of population in the West most clearly. The slow rate of increase of the New England States as compared with the Carolinas and Georgia, Virginia and Pennsylvania, is a good indication of the great emigration from New England.

	1790.		1800.	
United States		3,929,214		5,308,483
Connecticut	8	237,946	8	251,002
Delaware	16	59,096	17	64,273
District of Columbia	..	.....	19	14,093
Georgia	13	82,548	12	162,686
Indiana (Territory)	..	.....	21	5,641
Kentucky	14	73,677	9	220,955
Maine (District of; belonged to Massachusetts)	11	96,540	14	151,719
Maryland	6	319,728	7	341,548
Massachusetts	4	378,787	5	422,845
Mississippi (Territory)	..	.....	20	8,850
New Hampshire	10	141,885	11	183,858
New Jersey	9	184,139	10	211,149
New York	5	340,120	3	589,051
North Carolina	3	393,751	4	478,103
Ohio (Territory)	..	... ...	18	45,365
Pennsylvania	2	434,373	2	602,365
Rhode Island	15	68,825	16	69,122
South Carolina	7	249,073	6	345,591
Tennessee	17	35,691	15	105,602
Vermont	12	85,425	13	154,465
Virginia	1	747,610	1	880,200

† The centre of population is the centre of gravity of the population of the country, or "the point at which equilibrium would be reached were the country

Beyond the Blue Ridge everything was most primitive. Half the roads were "traces," and blazed. More than half the houses, even in the settlements, were log-cabins. When a stranger came to such a place to stay, the men built him a cabin, and made the building an occasion for sport. The trees felled, four corner men were elected to notch the logs, and while they were busy the others ran races, wrestled, played leap-frog, kicked the hat, fought, gouged, gambled, drank, did everything then considered an amusement. After the notching was finished the raising took but a few hours. Many a time the cabin was built, roofed, the door and window cut out, and the owner moved in before sundown. The chinks were stopped with chips and smeared with mud. The chimney was of logs, coated with mud six inches thick. The table and the benches, the bedstead and the door, were such as could be made with an axe, an auger, and a saw. A rest for the rifle and some pegs for clothes completed the fittings.

The clothing of a man was, in summer, a wool hat, a blue linsey hunting-shirt with a cape, a belt with a gayly-colored fringe, deer-skin or linsey pantaloons, and moccasons and shoe-packs of tanned leather. Fur hats were not common. A boot was rarely to be seen. In winter a striped linsey vest and a white blanket coat were added. If the coat had buttons, and it seldom had, they were made by covering slices of a cork with bits of blanket. Food which he did not obtain by his rifle and his traps he purchased by barter. Corn was the staple, and, no mills being near, it was pounded between two stones or rubbed on a grater. Pork cost him twelve cents a pound, and salt four. Dry fish was a luxury, and brought twenty cents a pound. Sugar was often as high as forty. When he went to a settlement he spent his time at the billiard-table, or in the "keg grocery" playing Loo or "Finger in Danger," to determine who should pay for the whiskey consumed. Pious men were terrified at the drunkenness, the vice,

taken as a plane surface, itself without weight, but capable of sustaining weight, and loaded with its inhabitants, in number and position as they are found at the period under consideration; each individual being assumed to be of the same gravity as every other, and, consequently, to exert pressure on the pivotal point directly proportional to his distance therefrom." For the manner of finding the centre of population, see the Population volume of the Tenth Census.

the gambling, the brutal fights, the gouging, the needless duels they beheld on every hand. Already the Kentucky boatmen had become more dreaded than the Indians. "A Kentuc" in 1800 had much the same meaning that "a cowboy" has now. He was the most reckless, fearless, law-despising of men. A common description of him was half horse, half alligator, tipped with snapping-turtle.

On a sudden this community, which the preachers had often called Satan's stronghold, underwent a moral awakening such as this world had never beheld.

Two young men began the great work in the summer of 1799. They were brothers, preachers, and on their way across the pine barrens to Ohio, but turned aside to be present at a sacramental solemnity on Red river. The people were accustomed to gather at such times on a Friday, and, by praying, singing, and hearing sermons, prepare themselves for the reception of the sacrament on Sunday. At the Red river meeting the brothers were asked to preach, and one did so with astonishing fervor. As he spoke, the people were deeply moved, tears ran streaming down their faces, and one, a woman far in the rear of the house, broke through order and began to shout. For two hours after the regular preachers had gone the crowd lingered, and were loath to depart. While they tarried, one of the brothers was irresistibly impelled to speak. He rose and told them that he felt called to preach; that he could not be silent. The words which then fell from his lips roused the people before him "to a pungent sense of sin." Again and again the woman shouted, and would not be silent. He started to go to her. The crowd begged him to turn back. Something within him urged him on, and he went through the house shouting and exhorting and praising God. In a moment the floor, to use his own words, "was covered with the slain." Their cries for mercy were terrible to hear. Some found forgiveness, but many went away "spiritually wounded" and suffering unutterable agony of soul. Nothing could allay the excitement. Every settlement along the Green river and the Cumberland was full of religious fervor. Men fitted their wagons with beds and provisions, and travelled fifty miles to camp upon the ground and hear him preach.

The idea was new; hundreds adopted it, and camp-meetings began. There was now no longer any excuse to stay away from preaching. Neither distance, nor lack of houses, nor scarcity of food, nor daily occupations prevailed. Led by curiosity, by excitement, by religious zeal, families of every Protestant denomination—Baptists, Methodists, Presbyterians, Episcopalians—hurried to the camp-ground. Crops were left half gathered; every kind of work was left undone; cabins were deserted; in large settlements there did not remain one soul. The first regular general camp-meeting was held at the Gasper River Church, in July, 1800; but the rage spread, and a dozen encampments followed in quick succession. Camp-meeting was always in the forest near some little church, which served as the preachers' lodge. At one end of a clearing was a rude stage, and before it the stumps and trunks of hewn trees, on which the listeners sat. About the clearing were the tents and wagons ranged in rows like streets. The praying, the preaching, the exhorting would sometimes last for seven days, and be prolonged every day until darkness had begun to give way to light. Nor were the ministers the only exhorters. Men and women, nay, even children, took part. At Cane Ridge a little girl of seven sat upon the shoulder of a man and preached to the multitude till she sank exhausted on her bearer's head. At Indian Creek a lad of twelve mounted a stump and exhorted till he grew weak, whereupon two men upheld him, and he continued till speech was impossible. A score of sinners fell prostrate before him.

At no time was the "falling exercise" so prevalent as at night. Nothing was then wanting that could strike terror into minds weak, timid, and harassed. The red glare of the camp-fires reflected from hundreds of tents and wagons; the dense blackness of the flickering shadows, the darkness of the surrounding forest, made still more terrible by the groans and screams of the "spiritually wounded," who had fled to it for comfort; the entreaty of the preachers; the sobs and shrieks of the downcast still walking through the dark valley of the Shadow of Death; the shouts and songs of praise from the happy ones who had crossed the Delectable Mountains, had gone on through the fogs of the Enchanted Ground and

entered the land of Beulah, were too much for those over whose minds and bodies lively imaginations held full sway. The heart swelled, the nerves gave way, the hands and feet grew cold and, motionless and speechless, they fell headlong to the ground. In a moment crowds gathered about them to pray and shout. Some lay still as death. Some passed through frightful twitchings of face and limb. At Cabin Creek so many fell that, lest the multitude should tread on them, they were carried to the meeting-house and laid in rows on the floor. At Cane Ridge the number was three thousand.

The recollection of that famous meeting is still preserved in Kentucky, where, not many years since, old men could be found whose mothers had carried them to the camp-ground as infants and had left them at the roots of trees and behind logs while the preaching and exhorting continued. Cane Ridge meeting-house stood on a well-shaded, well-watered spot, seven miles from the town of Paris. There a great space had been cleared, a preachers' stand put up, and a huge tent stretched to shelter the crowd from the sun and rain. But it did not cover the twentieth part of the people who came. Every road that led to the ground is described to have presented for several days an almost unbroken line of wagons, horses, and men. One who saw the meeting when it had just begun wrote home to Philadelphia that wagons covered an area as large as that between Market street and Chestnut, Second and Third. Another, who counted them, declared they numbered eleven hundred and forty-five. Seven hundred and fifty lead tokens, stamped with the letters A or B, were given by the Baptists to communicants; and there were still upward of four hundred who received none. Old soldiers who were present, and claimed to know something of the art of estimating the numbers of great masses of men, put down those encamped at the Cane Ridge meeting as twenty thousand souls. The excitement surpassed anything that had been known. Men who came to scoff remained to preach. All day and all night the crowd swarmed to and fro from preacher to preacher, singing, shouting, laughing, now rushing off to listen to some new exhorter who had climbed upon a stump, now gathering around some unfortunate who, in their

peculiar language, was "spiritually slain." Soon men and women fell in such numbers that it became impossible for the multitude to move about without trampling them, and they were hurried to the meeting-house. At no time was the floor less than half covered. Some lay quiet, unable to move or speak. Some talked, but could not move. Some beat the floor with their heels. Some, shrieking in agony, bounded about, it is said, like a live fish out of water. Many lay down and rolled over and over for hours at a time. Others rushed wildly over the stumps and benches, and then plunged, shouting Lost! Lost! into the forest.

As the meetings grew more and more frequent, this nervous excitement assumed new and more terrible forms. One was known as jerking; another, as the barking exercise; a third, as the Holy Laugh. "The jerks" began in the head and spread rapidly to the feet. The head would be thrown from side to side so swiftly that the features would be blotted out and the hair made to snap. When the body was affected, the sufferer was hurled over hindrances that came in his way, and finally dashed on the ground to bounce about like a ball. At camp-meetings in the far South, saplings were cut off breast-high and left "for the people to jerk by." One who visited such a camp-ground declares that about the roots of from fifty to one hundred saplings the earth was kicked up "as by a horse stamping flies." There only the lukewarm, the lazy, the half-hearted, the indolent professor were afflicted. Pious men, and scoffing physicians who sought to get the jerks that they might speculate upon them, were not touched. But the scoffer did not always escape. Not a professor of religion within the region of the great revival but had heard or could tell of some great conversion by special act of God. One disbeliever, it was reported, while cursing and swearing, had been crushed by a tree falling on him at the Cane Ridge meeting. Another was said to have mounted his horse to ride away, when the jerks seized him, pulled his feet from the stirrups, and flung him on the ground, whence he rose a Christian man. A lad who feigned sickness, kept from church and lay abed, was dragged out and dashed against the wall till he betook himself to prayer. When peace was restored to him, he passed out into his father's

tanyard to unhair a hide. Instantly the knife left his hand, and he was drawn over logs and hurled against trees and fences till he began to pray in serious earnest. A foolish woman who went to see the jerks was herself soon rolling in the mud. Scores of such stories passed from mouth to mouth, and may now be read in the lives and narratives of the preachers. The community seemed demented. From the nerves and muscles the disorder passed to the mind. Men dreamed dreams and saw visions, nay, fancied themselves dogs, went down on all fours, and barked till they grew hoarse. It was no uncommon sight to behold numbers of them gathered about a tree, barking, yelping, "treeing the devil." Two years later, when much of the excitement of the great revival had gone down, falling and jerking gave way to hysterics. During the most earnest preaching and exhorting, even sincere professors of religion would, on a sudden, burst into loud laughter; others, unable to resist, would follow, and soon the assembled multitude would join in. This was the "Holy Laugh," and became, after 1803, a recognized part of worship.*

*Fragmentary accounts of the Great Revival in Kentucky will be found in Surprising Accounts of the Revival of Religion in the United States of America, in Different Parts of the World, and Among Different Denominations of Christians, with a Number of Interesting Occurrences of Divine Providence, 1802. Gospel News, or A Brief Account of the Revival of Religion in Kentucky and several other Parts of the United States, 1802. History of Cosmopolite, or the Four Volumes of Lorenzo's Journal concentrated in One, 1816. Smith, History of the Cumberland Presbyterians. History of Methodism in the Western States. Davidson. History of the Presbyterian Church in Kentucky. Lyle's Diary.

CHAPTER XIII.

PURCHASE OF THE FAR WEST.

The revival in the West was a source of much consolation to Federal Christians. There was a deep meaning, they said, in such an outbreak of religious zeal immediately on the election of Thomas Jefferson, a man who worshipped at no altar and acknowledged no creed. To him it might be a matter of indifference whether men believed in one God or twenty Gods; but it was not so to his Maker, who had, in a moment, turned his wisdom into foolishness, and filled the hearts of tens of thousands with a knowledge of their sin and a firm conviction that the Lord God existed.

Federal politicians found some comfort in the assurances of Jefferson's speech, and the news that quickly followed it. No general proscription of office-holders seemed to be at hand. Two members of Adams's Cabinet Jefferson retained. Of three he appointed, Levi Lincoln, Attorney-General, and Henry Dearborn, Secretary of War, were citizens of Massachusetts. Of the five Cabinet officers, three, therefore, were from Massachusetts, for Samuel Dexter, the burner of records and public buildings, was suffered to keep the Treasury. But two, James Madison and Benjamin Stoddart, of Maryland, came from the South, and Stoddart was appointed by Adams. While such conduct was cheering to the great body of the Federal party, there were many spiteful agitators to whom it was disappointing in the extreme; for each man removed was one more chance to cavil and complain. They soon had a chance, however, for the report got out that Albert Gallatin was to have the place Mr. Dexter held. Gallatin was a citizen of Pennsylvania, and Pennsylvania, it was thought, and justly, deserved a warm rec-

ognition at Jefferson's hand. Since the foundation of the Republican party no State had been more devoted to its cause. Yet it had received nothing. Save Virginia, what one of the eight that stood unflinchingly by Jefferson during the long struggle in the House had received anything? Was it right that three Cabinet offices should go to Massachusetts, the hotbed of Federalism, the home of the Duke of Braintree and the Junto, the land of the Illuminati, the supporters of bigotry and monarchy? Would John Adams have put three Virginians in posts of great trust? Let the new Secretary of the Treasury be Albert Gallatin. No one else was more fit. Nor can it be denied that the statement was true. Thirty-six men have, since the establishment of the Constitution, held that high and important place. But the ablest of them all was Hamilton, and Albert Gallatin was next.

To the Federalists he was the most hateful man on earth. To no one else in the Democratic ranks, they protested, have the well-informed citizens of America such reasonable objection. That any foreigner should be put in office is both dangerous and degrading. The jealous pride of America ought to rise up against it. But Gallatin! He is a Genevan by birth; a Frenchman in accent; a Jesuit in morals. He was deeply implicated in the Whiskey Insurrection. He has defamed Washington. He has stood up in the House of Representatives and, in the jargon of a foreigner, maligned and slandered our native citizens.* His face is the face, his manners the manners, his speech is the speech of the French, the nation that has robbed our ships, rejected our ministers, and, in the name of liberty, perpetrated horrors such as the world has never seen before.

The time had passed, the Federalists were assured, when it was proper to murmur against foreigners in office. Was Alexander Hamilton a native American? Or James M'Henry, late Secretary of War? Or William Davie, late Commissioner

* The Federal newspapers entertained their readers with specimens of Gallatin's English. This is one: "For ze par wisch oituke een dzattafair oidoo mos sinzerly deman ze pardone of moi contree. It is ze political zin of wisch oi gladly take zis akelshon to express mois zinzere repentans." It is part of a speech delivered in the Legislature of Pennsylvania relative to his conduct in the Whiskey Insurrection of 1794. Gazette of the United States, April 7, 1801.

to France? Or John Barry, high in command in the United States navy? The dislike to Gallatin comes not from honest but dishonest Americans, public plunderers, defaulters, speculators in the public stock, office-seekers without talent, and placemen to whom integrity is unknown. The appointment, however, was not made till the middle of May.

Long ere that time removals had begun, more foreigners were given places, and the native American cry grew louder and louder. In letters still extant, the President stated briefly and clearly the reasons for the removals he made. All civil offices, held at pleasure, and filled by Mr. Adams after the result of the election was surely known, were, Mr. Jefferson declared, to be considered vacant. He should not even regard the holders as candidates. They should be utterly overlooked, and, without any notice, others named in their stead. Men guilty of official misconduct were likewise to be swept away, as in truth they ought to have been by Mr. Adams. Good men were to be spared; but not attorneys and marshals. The judges, to a man, were Federal and irremovable. It was, therefore, for the public good that the marshals and attorneys should be Republicans. They were the doors of entry into the courts; the shield of the Republican part of the community.*

Acting on these principles, the head of the District Attorney for Pennsylvania was the first to fall. Two objections, said the Federalists, have been found against John Kittera: he is a native American and an honest man. In his place we are to have Alexander Dallas, late of Jamaica, the friend and counsellor of the wicked Judge McKean. But then "we are all Republicans, we are all Federalists." Next to be dismissed was Samuel Hodgdon, Superintendent of Public Stores. He, too, was a native American, had risen to the rank of colonel in the Revolutionary army, was the friend of Washington, and, in the terrible autumn of 1793, had distinguished himself as a Federal office-holder the yellow fever could not drive from his post.

That the removal of Hodgdon and Kittera has become less famous than the removal of Elizur Goodrich is due to cir-

* Jefferson to Giles, March 23, 1801.

cumstances and not to the men. Goodrich was collector for the district of New Haven, had been appointed after the result of the election was known, and fell, therefore, into that class of placemen the new President determined to utterly ignore. Considering the post as vacant, Jefferson spent some time in searching for a fit incumbent, and then ordered Samuel Bishop to be sworn in. The merchants were highly offended, and eighty of them, owning, they claimed, seven eighths of the shipping of the port, drew up and signed a remonstrance. Goodrich had managed the affairs of the office with honesty, ability, and dispatch. Bishop could not. He was fast nearing his seventy-eighth year, and was already laboring under a full share of those infirmities which attend old age. So blind was he that to write even his name was a tedious and painful performance. He had not been bred an accountant; had never in the whole course of his life acquired the simplest forms of accounting; was ignorant of the Revenue Laws; knew nothing of mercantile business, and was so advanced in years and so feeble in body and mind that to learn either was impossible. It was true he held the office of Mayor, but he held it by charter, during the Legislature's will. It was true he was Town Clerk and Judge of the County Court, but these he had because the people of Connecticut were not in the habit of neglecting men who had once served them well. The work of the Custom-House would be done by his son, and his son was a foe to commerce and an enemy to order, which, being interpreted, meant a Republican.

Jefferson's reply to the remonstrance was a discussion of the tenure of office, and soon forgotten. But one sentence will undoubtedly be remembered till our Republic ceases to exist. No duty the Executive had to perform was so trying, he observed, as to put the right man in the right place. In the appointment of Samuel Bishop this end was believed to have been reached. Time had been taken, information sought, and such obtained that his fitness could not be in doubt. Was he not Town Clerk, a Justice of the Peace, and Mayor of New Haven; Chief Judge of the Court of Common Pleas, and sole Judge of the Court of Probate? Was it possible that a man so honored in Connecticut was unfit to be collector of its chief

port? That he was bent with the weight of seventy-seven years was nothing. Had not Franklin, at a more advanced age, been the ornament of the race? Some declarations by himself about political tolerance, harmony, and the equal rights of the minority had been misconstrued into assurances that the tenure of office was not to be disturbed. Is this, he asked, candid? During the late administration were not all save men of a particular sect of politics shut out from office? This sect is now in the minority. Does it still think the monopoly of office remains in its hands? Does it violate its equal rights to assert some rights for the majority also? Is it political intolerance to claim a fair share in the management of public concerns? Cannot these men harmonize in society unless everything is in their hands? The will of the nation calls for an administration in harmony with the opinions of those elected. For the fulfilment of that will displacements are necessary; and with whom can displacements more fittingly begin than with placemen appointed in the last moments of a dying government, not for its own aid, but for its successors' discomfiture? If a due participation of office is a right, how are vacancies to be had? "Those by death are few; by resignation none." Removal was a painful duty; but it was a duty, and as such he should perform it.*

Had expressions so outspoken been used by Washington in a reply to one of the remonstrances against the treaty, had John Adams uttered such political doctrines in an answer to an address by the "Associated Youth," Cooper and Callender, Holt and Duane, Matthew Lyon and Thomas Jefferson, would have pronounced it the most monarchical, the most Anglican language they had ever heard or read. But Jefferson was in power, and half the occupation of these men was gone. They were not, however, wholly idle. The mark at which they had so long been throwing was, indeed, down; but they soon began to make marks of each other. John Adams, being again a private citizen, and the Sedition Law no longer in force, Lyon plucked up courage and vilified the late President in a letter he would not, six months before, have dared to write.

* Jefferson's Letter to Elias Shipman, Esq., and others, Members of a Committee of the Merchants of New Haven.

One of the earliest acts of Executive clemency was to pardon Callender and remit his fine. In return for this the wretched pamphleteer covered his benefactor with shameful abuse. Duane soon had a quarrel with Gallatin.

The business of opposing Government, however, was now left to the Federalists, and was well done. Nothing was to their liking. Jefferson invited Madison to spend a short time at the President's House. Immediately the question was raised, Does the President take lodgers? Is the Secretary of State trying to "sponge the United States out of house-rent?"* In April it was known that an order had issued for the destruction of the navy. Nineteen gallant ships, it was said, are to be stripped of naval stores and knocked down to the highest bidder. Seven more are to be locked up, like hulks, in a fresh-water dock, to feed Virginia worms. The six frigates will have their death-warrants signed when the nineteen are handsomely disposed of. In two years we shall read the last words and dying speech of the American navy.† Plain John Adams, was the retort, for by that epithet the Republicans now delighted to designate him, plain John Adams signed this navy reduction bill. To this it was answered that he did; but that by the bill the President was merely authorized, not directed, to sell the ships.

But the day for the dying speech never came. An unexpected use was found for the navy, and, in a few weeks, three frigates and a sloop of war‡ were on their way to Tripoli. No portion of our annals is more shameful than the story of the dealings of our Government with the horde of pirates then known as the Barbary Powers. In April, 1795, while the timber for the six frigates that were to punish the Dey was yet

* Columbian Centinel, May 23, 1801.

† The act named thirteen ships not to be sold. With the rest the President was to do as he judged best. Those retained were: Constitution, 44 guns; United States, 44; President, 44; Congress, 38; Constellation, 38; Chesapeake, 38; Philadelphia, 38; New York, 36; Essex, 32; General Greene, 28; Boston, 28; Adams, 28; John Adams, 28. To these Jefferson added the Enterprise, 12 guns. The vessels sold were nine galleys, and George Washington, Ganges, Portsmouth, Merrimack, Connecticut, 24's; Baltimore, Connecticut, Delaware, Montezuma, 20's; Herald, Maryland, Norfolk, Patapsco, Pinckney, Richmond, Trumbull, Warren, 18's; Augusta, Eagle, Scammel, 14's; and Experiment, 12 guns.

‡ President, Essex, Philadelphia, and Enterprise.

being felled, Colonel Humphreys was dispatched to Algiers. He was commissioned to negotiate a treaty, and with him went one Joseph Donaldson, to be Consul at Tunis and Tripoli. The two reached Gibraltar in May, and there parted, Donaldson to go to Alicant and Humphreys to Paris. So arduous did the undertaking seem, that, while the presents were being made ready at Paris, Monroe begged the French Government to lend its powerful aid, and exert what influence it had with the Dey in America's behalf. Barlow, too, was interested, and promised to go once more to Algiers when all was ready. But nothing was ready when Humphreys received the astonishing news that a treaty had been made.

On the third of September, Donaldson presented himself at Algiers, ended his mission ten days later, and sent off the document, in the swiftest sailing-vessel he could find, to Lisbon. There was much need for haste, as he had solemnly engaged that the money promised should be paid within four months. As a great favor to the Government, the bank had been induced to loan eight hundred thousand dollars in six per cent certificates. These had been sent to the Barings, of London, and with them went the strict injunction to sell so gradually as to cause no depression in the value of American securities. By August, 1795, all were disposed of, and Humphreys duly informed that the money awaited his commands. His commands were that six hundred and fifty thousand dollars in Portuguese gold and Spanish dollars should be sent at once, and to bring them, the same vessel that carried the treaty to Lisbon was dispatched. But so great a sum in the kind of coin required could not be had in London; the hour of payment came and went, and the Dey with difficulty was persuaded to extend the time to April eighth, 1796. Still no money came, and, on the third, his final determination was announced. Donaldson and Barlow must leave Algiers in eight days. If the tribute was not paid in thirty, Algerine xebecs should be ordered to bring in American ships. They besought him to have patience with them, and, well knowing what all the bluster meant, tried to quiet his rage by the offer of as fine a frigate as the ship-builders of America could launch. The offer was eagerly accepted, the Dey became gracious, Humphreys

sent home for authority to ratify the promise Donaldson had made, and the keel of the frigate Crescent was soon on the ways.

All these facts were secretly given to the House in February, 1797. A request was then made for two hundred and fifty-five thousand dollars more.* The estimates Donaldson had put on the naval supplies were far too low. The powder and lead, the masts and spars, the cordage and cables, the pitch and tar, the cannon, the gun-barrels, the headed shot, and the planks of oak and pine would cost nearly two and a half times the sum allowed.† The whole expense of the treaty would not be far from a million dollars. ‡

The money was granted, and no more was heard of the Dey for another year. Then the Crescent, loaded with presents and bearing twenty-six barrels of dollars, sailed from the harbor of Portsmouth for Algiers.# And now, as was the custom, the tribute once more fell in arrears. For two years none was sent. Then the George Washington, Captain Bainbridge commanding, followed the Crescent, with gifts. It was on a September morning, 1800, that he entered the beautiful bay of Algiers and beheld the city, like a huge amphitheatre of white stone, on the steep hillside before him. Thinking that his mission made him welcome, he passed the usual anchorage, ran in, anchored under the mole, delivered the tribute to the Consul, and was astounded by a request to place his vessel at the service of the Dey. The Ottoman Porte was sorely vexed at the regency. Nothing but timely presents could appease the tyrant, and these, it was proposed, the George Washington should carry out. Bainbridge begged to be excused. The Dey insisted. Bainbridge told him that the property would not be safe under the American flag; that the ship was a poor sailer; that it was war-time; that a thousand things might happen. The Dey replied, dryly, that God was great; that all was on his head; that every difficulty must be overcome; that he would send his own flag to be hoisted at the mast-head. The Consul then assured him if the George Washington hauled down her pennant, and raised the Algerine flag in its stead,

* $255,759.

† The estimate was $57,000. The cost, $124,713.

‡ $992,463.25.

January, 1798.

she would by that act be out of commission. He knew nothing about such things, he said, and sent the Consul to the General of Marine. By the laws of Christian nations, that officer was reminded, a ship belonged to the nation whose flag floated at the mainmast-head. Algiers, therefore, would surely be content if her flag appeared at the foretopgallantmast-head. But the General of Marine flew into a great passion, stormed, and swore the whole thing was an evasive pretext,* came on board with his admiral and a troop of Raizes, climbed to the maintop, tore down the pennant, and raised the mission flag of Algiers.† Some old guns were hurried on board for ballast, the gifts and the agent taken on, and Bainbridge, with the flag of the Dey flying from his mainmast, set sail for Constantinople. ‡ But the frigate was no sooner out of reach of the batteries than the flag came down.

Trouble meanwhile broke out with Jussuf Caramalli, Pasha of Tripoli. The United States, he told the Consul, had made liberal presents to Tunis and Algiers. Why were none sent to him? Stores and jewels were for Tunis. Compliments were for him. Why had the Sahibtappa at Tunis been given forty thousand dollars and but a little more been given him? Was he to be placed on the same footing as a Minister of the Bey?# But he too had cruisers, and good sailors and Raizes, was as independent as the Bey of Tunis, and could hurt the commerce of any nation just as much.

The Consul sought to appease him in much the same manner as a petulant and sulky child. Some one had been telling him lies. No money had been given to the Sahibtappa. Nothing the treaty with Tripoli called for had been left undone. During the first year of the treaty, had he not received forty thousand dollars in cash, and gifts worth eight thousand more? In the second year, was not twelve thousand given him, and in the last twenty-two? When his son was circumcised, was not

* No. II. Documents Respecting Barbary, accompanying the President's Communication to Congress of the 8th December, 1801, pp. 27–29.

† Bainbridge to Secretary of the Navy, Aurora, April 25, 1801.

‡ Letter from the Consul, Richard O'Brien. No. II. Documents Respecting Barbary, accompanying the President's Communication to Congress of the 8th December, 1801, pp. 25–31.

Ibid., pp. 16, 17.

the present of the American Consul the finest he received? Had he not written to the President that he was content? Then he was content, because he thought the presents bore some proportion to those promised Tunis. But now he was not content, and would write again. The letter assured the President that it was hoped kind expressions would be followed by deeds, and not by empty words. That if flattery, and not performance, was meant, each would act as he saw fit.* The Consul was informed that if money did not come in six months war should be declared. When the time was up, the flag-staff of the American consulate was hewn down, an act which, in Tripoli, was a declaration of war.*

Long ere the news of this deed reached Jefferson, the little squadron in command of Commodore Dale was on the sea. His orders bade him touch first at Gibraltar. Should the Barbary Powers be at peace, he was to display his force at Algiers, Tunis, and Tripoli, make the tour of the Mediterranean, stop again at Tripoli, Tunis, and Algiers, and sail for home in October. Should the regencies be at war, he was to act on the defensive. In his letter to the twelve men who then acted as consuls at the chief ports in southern Europe, Madison declared that, come what might, the expedition could not be without its use. Good would come to American consuls and traders by showing such fine ships of war to the Barbary States. Marines would be exercised and officers instructed in the line of their duty, and that, too, in a sea where, perhaps, they would some day be wanted. The frigates being part of the peace establishment, the expense of sending them abroad would not be much larger than the cost of keeping them at home.†

Here, exclaimed the Federal press, is Democratic economy! The marine corps is reduced to four hundred. Every week some gallant naval ship is sold at auction for half its cost. And why? Because the Jacobin Government cannot afford to spend money. What would have been said had John Adams sent a fleet across the ocean for the amusement of its officers

* No. II. Documents Respecting Barbary, accompanying the President's Communications to Congress of the 8th December, 1801, p. 35. "At a quarter past two they effected the grand achievement, and our flag-staff was chopped down six feet from the ground, and left reclining on the terrace." May 14, 1801.

† Ibid., p. 10.

and its crews? But the Man of the People has done it, so it must be right.* And the outlay on the French corvette Berceau, that, too, must be quite economical and proper. Everybody knows that the new treaty with France only contemplated the return of public armed vessels in the same condition as they were when taken. Suppose one of these Gallic monsters, after striking, lost her rudder, or her topmasts, or had her sails torn out in a gale. Would the United States be expected to replace them? If we are to pay for the sound drubbing Captain Little gave the Berceau, ought not France to paint over the scratches the Berceau made on the Boston's hull? Does not the Constitution say no money shall be drawn from the Treasury except to meet some expenditure authorized by law? Twenty thousand dollars have been laid out on the corvette. Has this been authorized by any law? Is the Mammoth of Democracy a law unto himself?

Even the friends of the President could not help wishing the frigates were better employed. We are, said they, under the disgrace of paying tribute. Were the purpose of this expedition to relieve us of tribute, the money would be wisely expended and the ships well employed. But no. They are, at best, to act as convoys for American merchantmen in the Mediterranean sea. Now, what is the profit of that trade, and what the cost of thus protecting it? If we cannot be shown that the whole of it has yielded enough to build, equip, and maintain three frigates, would it not be sounder economy to use them in some other way? The real American capital so invested is not five million dollars. Fifty per cent profit, therefore, would not meet the cost of the naval equipment, and this does not leave a cent for tribute, nor a pang for shame. Bankmen and stockholders cry out: "What! destroy our Mediterranean trade?" They object, do they, to surrender a commerce worth five millions! Did they not give up a trade of fifty millions for two years because the owners of their best markets and their earliest friends wished to borrow a few dollars? Did they not build a navy and bluster in the face of the world because three swindlers sought to bribe them? Great Britain is at the bottom of this trouble with Tunis and Algiers. Her

* Gazette of the United States, June 13, 1801.

friends, the old Tories, have been swept from power in America. They call to her for help. She guides the Porte; the Porte rules the regencies of Barbary, and they, on a sudden, make threats of war.

The repairs on the Berceau and the fleet of Commodore Dale were still subjects for tavern disputes when the Federalists heard that a yet more objectionable use was to be made of a national ship. Having signed the convention with France, Mr. Adams invited James Bayard, of Delaware, to carry the document to France. He declined, and the matter was left for Jefferson, who in turn offered the mission to John Dawson, of Maryland, a man on whom his townsmen had fastened the epithet "Beau." Beau Dawson departed in the frigate Baltimore, bearing with him, besides the state papers, a letter from Jefferson to Thomas Paine. But of this the public knew nothing till a story came back from France, through the London Sun, that the messenger had reached Paris; that almost his first act was to wait on Paine with the letter of the President in his hand; that the letter was full of affectionate language, and contained a warm invitation to return to America in the Government ship.

Republicans at first discredited the story, and pronounced it a silly libel on the President. Silly because, had he done so, no man with a spark of gratitude in his bosom would begrudge the author of "The Crisis" a safe trip in the Baltimore. But the Federalists insisted that the invitation had been sent, and that sending such an invitation to such a man was degrading to the American people. If Mr. Jefferson, as a private citizen, chose to correspond with the old deist, the foul-mouthed maligner of Washington; nay, if he saw fit to pay the passage of the wretch in a packet, the affair was his. But the President was not acting as a citizen. He was acting as a national officer, for he made offer of a national ship. The feelings, the opinions, the religious scruples of the nation were to be respected. The man who thought a tumble-down church "good enough for Him that was born in a manger" might well think Tom Paine a good enough cargo for a naval ship. A Christian nation, most happily, thought otherwise, and the conduct of the President was, to it, monstrous.

Why monstrous? it was asked. The crime of Paine seemed to be the writing of "The Age of Reason." Nobody meant to

defend the book. Hundreds had done that. Yet it had long since been flung away with other lumber. But was the remembrance of the wonder-working pages of "Common Sense" done away with? Had old soldiers, to whom "The Crisis" had been read by the order of General Washington, forgotten who penned it? It has become the fashion and the shame of America to attack the just fame of every man who, having taken an early part in the Revolution, has not deserted its principles to adopt the Machiavelism the British party would put in the place of the glorious doctrines of '76. Why was Thomas Paine suffered to languish, unclaimed and unredressed, in the Jacobin dungeon where Robespierre had been confined? Because this was agreeable to British views. When at last his prison-doors were opened he sought to return to that estate which New York had given him. But Great Britain thirsted for his blood. Her agents lay in wait for him. Her ships were stationed to cut him off. In 1795, in 1797, and again in 1799, he attempted to elude them, and failed. Now that delusion has fled the land, Mr. Jefferson could not, in decency, do less than write affectionately to the man who had served America so well. It was talent such as Paine's that had enabled the United States to be a nation and have ships.

Oh, the impudence of man! exclaimed the Federalists. Truly it was the fashion to malign the great characters of the Revolution. But who brought the fashion in and followed it? Washington was commonly believed to have had an original share in accomplishing the independence of America. And who, pray, attempted to ruin him? Where could there be found such another mass of vile slander, unjust charges, causeless abuse, and lying statements on the deliverer of America as in the columns of the Aurora, once misconducted by Bennie Bache, and now misconducted by Willie Duane? Nay, had the Arch Deist, soon to come home in a Government ship, done nothing in the maligning way? Forget "Common Sense"? No; nor a "Letter to George Washington, President of the United States of America, on Affairs Public and Private. By Thomas Paine." *

* Philadelphia Gazette, July 12, 1801. Aurora, July 14, August 3, 7, 1801. Gazette of the United States, July 16, 21, 1801.

It was next denied that any invitation had been given. Paine had written to congratulate the President on the triumph of Republicanism in America. The mysterious letter Beau Dawson delivered was simply a few kind words in reply. Dawson had gone in person with the note out of curiosity to see Paine.* But the truth in time came out. In the autumn of 1800 the author of the "Rights of Man" wrote to Jefferson, expressed a longing to be once more in the United States, declared he could not with safety make the voyage in a private ship, and asked, if the Republicans carried the election, that passage should be given him in a public vessel. Jefferson promised that, if elected, Paine should have his wish, and, having been elected, he kept his word.†

But his reply to Paine caused no such excitement as his reply to the New Haven Remonstrance. The political policy there set forth was held to be impolitic, unconstitutional, and tyrannical. Every man, the argument ran, who takes office does so under an implied contract with the Government that the place shall be his as long as the work is done faithfully and well. Trusting to the faith of the Government, he gives up his regular business, quits the pursuits on which he was wont to depend for a living, and devotes his time, his talents, and his best endeavors to the public service. Unless he can feel sure that his employment will be permanent, the situation of the public officer will be most painful. No man of independent mind will stoop to fill a post whence he may be removed whenever it suits the caprice or gratifies the resentment of those in power. The evil does not end here. Sweeping men from office because they hold to a certain political creed, and branding them as no more worthy of trust, widens the breach between party-lines, and arrays one half the community against the other. He must, indeed, be more than human who, after such unworthy treatment, finds his affection for Government still unchanged. It cannot be expected that mortal man so treated will curb his rage. His friends will feel for him. The party to which he belongs will take up his cause, and, when cases of oppression have multiplied beyond endurance, a generous sympathy will spread far and wide, indignation be aroused,

* Gazette of the United States, July 27, 1801. † Aurora, August 3, 1801.

and the proud oppressor levelled in the dust. Take from office the stability of tenure, and you instantly destroy a great inducement to enter public life.

That the Executive has sole power to remove from office is beyond dispute. But he holds no such power of appointment. He may appoint "by and with the advice of the Senate," is the language of the Constitution. Had the second article ended with this terse, precise, and unmistakable sentence, no pretence could ever have been set up that the President can alone appoint to office at any time. But the framers of the Constitution, foreseeing that vacancies might happen when the Senate was not sitting, and that public good might demand a new appointment long before the Senate could be convened, provided in the same article that "The President shall have power to fill up vacancies that may happen during the recess of the Senate by granting commissions which shall expire at the end of their next session."

The meaning is clear. The only vacancies the Executive can fill are those which happen during a recess. They must happen. And how can they happen? By death, by resignation, by delinquency. But for the President, in the recess of the Senate, of his own will, deliberately to create vacancies, and that too for the sole purpose of filling them himself, is most surely an abuse of power; nay, as harm to an individual goes with it, the act is tyranny. Vacancies by death, says the Man of the People, are few. Four tedious months pass away, yet the Federal placemen will neither die nor resign. Insolent and unpardonable wretches, they still mock his efforts, and go on living and enjoying what belongs to the faithful alone. The destroying angel is too slow for presidential vengeance. Jefferson, gazing round him in wild anxiety, cries out: "How are vacancies to be obtained?" seizes the exterminating sword, and sweeps a score of men from office.* Is it in the spirit of the Constitution and the Laws? Will not plain men, unused to the subtleties taught in the schools of modern philosophy, believe it a palpable violation of both? The President's whole reply abounds in this remarkable logic. Mr. Bishop holds five

* An Examination of the President's Reply to the New Haven Remonstrance. Lucius Junius Brutus, pp. 48, 49.

offices. Mr. Jefferson counts them up and asks, "Is it possible that such a man can be unfit to be Collector of the District of New Haven?" The Jacobins will find it a hard task to reconcile with pure republicanism the statement that because a man has five offices, therefore he ought to have six.* Mr. Bishop, say the merchants, is nearly blind. Impossible, replies the Man of the People. Dr. Franklin lived much longer, and had perfect use of his eyes. Mr. Bishop, say the merchants, is sinking under the infirmities of old age. Impossible, replies the Sage; our Franklin lived much longer, and died the ornament of human nature.† Such reasoning would go far to prove that, Dr. Franklin having discovered electricity, old Bishop ought to be converted into a lightning-rod. ‡ Such contemptible sophistry shows the miserable shifts a man will make who acts from motives he is ashamed to avow. The truth is simply this: The place is intended for that seditious, that unprincipled demagogue, Abraham Bishop. Too infamous for direct notice, he is to have the office under his father's name.

Had any other Republican been made Collector, the New Haven merchants would undoubtedly have muttered and grumbled; but would scarcely have carried their grievance to what they now called the foot of the presidential throne. But to see Abraham Bishop presiding in their Custom-House, and giving decisions they must obey, was exasperating. They hated him above all Republicans, and described him, not unjustly, as a demagogue of the worst type. Of his many orations two are deserving of notice.

The Phi Beta Kappa Society, of Yale College, invited him in 1800 to deliver an oration on the evening preceding Commencement-day, which, at that time, was in September. The society, he said, knew very well that he could not write about broken glass, dead insects, nor fossils. Concerning Greece and Rome he knew and he cared nothing, and was quite satisfied as to the distances of the heavenly bodies, and the fitness of all

* An Examination, etc., pp. 6, 7.

† The words of the President were: "It is objected, indeed, in the remonstrance, that he is seventy-seven years of age; but, at a much more advanced age, our Franklin was the ornament of human nature." ‡ Ibid., p. 9.

created things to their uses, without being particular as to the wherefores and the whys. He therefore determined to speak on a subject that was peculiarly his own; prepared an oration on the Extent and Power of Political Delusions, gave a copy to the Secretary, asked to have it shown to the members, so that, should they dislike it, another orator might be chosen. Nothing was heard from the society till a few hours before the meeting, when a handbill was brought to him, giving reasons why he should not speak. The society was literary, not political, and such an address as Mr. Bishop was to make was highly improper to the occasion.* It was delivered, however, and the next morning the Federalists were enraged to see it printed, annotated, and for sale at the Republican book-store at New Haven. To expect a dignified oration, and hear instead a campaign speech, was bad enough. But to see the speech, in the form of an electioneering pamphlet, spread far and wide over the State on the eve of a great political contest, was more than the Federalists could endure. The newspapers of the place at once attacked and abused him,† and two elaborate replies were prepared. Noah Webster wrote one and called it "A Rod for the Fool's Back." Connecticutensis wrote the other: "Three Letters to Abraham Bishop."

All this added to his local fame, and, when the Republicans of Wallingford determined to hold a thanksgiving for the election of Jefferson, Bishop was asked to speak. The burden of the harangue was expressed in one short sentence, which, when in print, appeared on the title-page: Our Statesmen to the Constitution; our Clergy to the Bible. He denounced Connecticut and the steady habits for which it was renowned, ransacked the Old Testament, the history of England, the French Revolution, and went over the same ground as in his first speech. A lawyer without practice, a man without a religion, and a firm supporter of the Republican cause, he complained at length of three great evils: One was the union of Church

* Oration delivered in Wallingford, on the eleventh of March, 1801, before the Republicans of the State of Connecticut, at the General Thanksgiving, for the election of Thomas Jefferson to the Presidency, and of Aaron Burr to the Vice-Presidency, of the United States of America, 1801. See Appendix to the Oration.

† Ibid. Also, Commercial Advertiser.

and State, and the sending of so many lawyers to Congress; another, the parsons who prayed and preached, and circulated pamphlets hostile to Republicanism; the third, the men who said: "I believe in George Third, King of Great Britain, and in the Prince of Wales, his eldest son, and in William Pitt, and Henry Dundas, and the House of Lords. I believe in the funding system, and in Rutledge, and Bayard, and Hamilton, and Dayton, and in the Federal capital, the new judiciary bill, and the officers appointed under it. I believe that McKean and Dallas, Coxe and Duane, deserve death, and that all the States south of Byram river will be sunk or burnt up, and that New England, with all its piety and honesty and knowledge, will be preserved during ages, and will finally govern the world." But nothing which he said was thought so irreverent as a parallel he drew between Thomas Jefferson and Jesus Christ. When, therefore, the merchants, in the remonstrance, declared Abraham Bishop to be destitute of public confidence, opposed to order, and odious to his townsmen, they undoubtedly stated precisely the facts.

To the pamphlet of Lucius Junius Brutus a reply was now made by Leonidas. The right of the President to remove from office during a recess of the Senate was clear. The first Congress had so decided. The language of the Constitution so expresses it. The words "he shall nominate" meant not the mere naming, but the naming and actual placing of a man in office. Any other construction must seriously hinder the workings of Government. To call the Senate together every time a collector or a supervisor, a naval officer or a marshal, died, would entail a cost to the United States many times greater than the salary of the post to be filled. To leave it vacant till Congress met would produce all the evils of high offices without incumbents, and important duties not performed. Neither of these things was contemplated by the Constitution. Brutus maintains that the phrase, "shall have power to fill up vacancies that may happen," means that the President, even for cause, cannot create them. Has this been the practice? Did not Washington recall Gouverneur Morris? France complained that he was fomenting a counter-revolution, that he was a British spy, and that he gave American passports to

English incendiaries. He was removed in a recess of the Senate; and for what? Inability? No, for perfidy. The President can, without assigning a single reason to any living man, dismiss from office for whatever he believes good cause.*

Each of these constructions was new to the party that used it, and neither seemed disposed to make any allusion to the case of James Monroe. When that Minister demanded the reasons for his recall, they were refused. Then the Republicans insisted that the President could not remove without cause, and was in duty bound to give his reasons for the act. The Federalists insisted he was not. In 1797 the Republicans found a dozen constitutional reasons why Washington, a Federalist, ought to keep Monroe, a Republican, in France. But in 1801 they were in power, and bore all the responsibility which the exercise of power entails, and could give a dozen other reasons why Jefferson, a Republican, should keep no Federalists in place. They were driven of necessity to become the loose construction party. The Federalists, being in opposition, were forced to become strict constructionists.

The strictest constructionist of all, however, was the President. Change of place had, in him at least, wrought no change of view. Many times during the years he dwelt in the White House was he called on to interpret the Constitution. Rarely did he fail to construe the language with a literalness which, even to his own followers, seemed extreme. The first of these instances occurred when the Mediterranean fleet was about to sail. Power to declare war was, he believed, vested in Congress alone. Without such a declaration a state of war could not exist. The Pasha of Tripoli might hew down the flagstaff of the American Consul, command his Raizes to bring in American ships, and make slaves of every American sailor that fell into his hands; but, till Congress willed otherwise, the United States was at peace. To order a Tripolitan town to be bombarded, or a xebec captured, or a single prisoner of

* A Reply to Lucius Junius Brutus's Examination of the President's Answer to the New Haven Remonstrance; with an Appendix containing the Number of Collectors, Naval Officers, Surveyors, Supervisors, District Attorneys, and Marshals in the United States, showing how many Incumbents are Republicans and how many are Federalists. By Leonidas. New York, 1801.

war made, was far beyond any power the President possessed. The most he could do was to provide for a spirited defence. This, and no more, Commodore Dale was bidden to do.

In July the frigates reached Gibraltar, and then parted company. One cruised in the straits. Another sailed along the north shore of the sea to collect and give convoy to American shipping. A third, with the Enterprise, ran for Tunis and Algiers. A month later, when off Malta, the Enterprise fell in with a Tripolitan polacre and fought it for three hours. Thrice during the combat the Turk struck, and twice rehoisted his colors, and twice re-opened his fire. But, when the ensign came down the third time, the Raiz appeared in the waist of his ship and, bowing and bending low, tossed his flag into the sea.* To bring in the wreck would have been an act of war. But to cut down the masts, fling guns and ammunition overboard, strip the vessel, in short, of everything save one old sail or a single spar, and leave the crew to make port as best they could, was a defensive act, and no violation of the orders the President had a right to give. These things were accordingly done; but it would have been better for the Turk had his ship gone down with all on board. Neither the good fight he made, nor the wounds he bore, could turn away the wrath of the Pasha. The unhappy man was first carried on a jackass through the streets of Tripoli, and then given fifty bastinadoes on the soles of his feet. Nor did Caramelli think more highly of his troops than his corsairs. Commodore Dale, having brought to a Greek ship, and taken from her deck an officer, twenty soldiers, fourteen merchants, five women, and a child, all subjects of the Pasha, offered to exchange them for any Americans he might have. But he sent back word that he would not give up one American for all the soldiers. As for the merchants, he cared very little about any of them.

In his message to Congress, Jefferson was at some pains to explain why the commander of the Enterprise was not suffered to make a prize of his foeman's ship. Without leave of Congress, no President was, by the Constitution, authorized to go beyond the line of defence, and defence meant, to his mind,

* See a letter in the Aurora, November 19, 1801.

burning, sinking, destroying, but not capturing the enemy's vessels. With the document of which this piece of constitutional construction formed a part, Jefferson began a wise reform. In a brief note to the Speaker he announced that he would not attend the House to make the usual speech, but had communicated his thoughts in a written message. This, in future, should be his custom; it would save time, it would serve the convenience of Congress, and relieve both Houses from the embarrassment of making replies. Thus was swept away an idle custom which had cost the Government thousands of dollars, and to abolish which Matthew Lyon had twice braved the jeers of the House and the abuse of the Federal press. Those men who sneered at Lyon now in turn sneered at Jefferson. The Mammoth of Democracy had given a strange illustration of his republican principles. For years his friends had been open-mouthed against the seclusion, the carriage-riding, the aristocratic taste of Washington; and had been deeply hurt because he was not to be seen sauntering along the streets, loitering in taverns, and accessible at home to every filthy sans-culotte who chose to rap at his door. They had supposed the new President would correct all this, and give his countrymen a lesson in republican behavior. But contrast the behavior of Jefferson with the behavior of Washington! When a session of Congress was about to begin, it was the custom of the great soldier to meet the two Houses in the Senate-chamber, disclose his sentiments on public affairs in a simple speech, and receive in return respectful assurances that his words and suggestions would be well considered. What could be simpler, more truly republican? But Jefferson has reversed this; stays in his palace like an Eastern prince, hides himself from the popular gaze, bids his secretary carry a note to Congress, whom he addresses in the French style of "Fellow-Citizens." Might he not at least have said: "Gentlemen and Fellow-Citizens"? Then all the members would have been included, for there were still some Federalists in the Senate and House.

The message was a long one; touched on the relations with the Indians, the Barbary war, the results of the census, and recommended the abolition of all taxes on liquors, stamps,

licenses, auctions, carriages, refined sugar, and the postage on newspapers. Such a reduction of income must necessarily be accompanied by a reduction of outlay, and for this a fair field was offered by the civil list, the army, and the navy. The judiciary system ought not to be forgotten, and the naturalization laws should be revised. Life was short, and to deny citizenship to aliens under a residence of fourteen years was to deny it, to a greater part of them, forever. Was it right for America to refuse to unhappy fugitives from distress that hospitality which the very savages gave our forefathers?

These gracious words brought comfort to hundreds of aliens in Chester county, Pennsylvania, who, on Christmas-day, went joyfully to their township-meetings and there chose delegates to a county convention called for the purpose of framing a petition for the repeal of what, in the language of the people, was described as the fourteen-year, fourteen-dollar naturalization law.

The convention met on the first of January, 1802, and, while it deliberated at West Chester, the President received at Washington a delegation of a most singular kind. They came from the town of Cheshire, in Massachusetts, bringing with them, on a wagon drawn by six stout horses, a mammoth cheese. With the committee went an address inscribed "The greatest cheese in America—for the greatest man in America." * After enumerating the terrors of federalism and the blessings sure to flow from the election of "The Man of the People," the cheese-makers informed the President that their work was sent as a pepper-corn of their love for the man of their choice, and as a sacrifice to true republicanism. It was not the last stone of the Bastile; it was not an object of great worth; but it was a free-will offering; an offering not made by his Lordship for the use of his sacred Majesty, but by the personal labor of free-born farmers, without one slave to assist, for the chosen President of a free people. For several years

* At the head of the committee was the Rev. Mr. Leland. By Mr. Jefferson's Financial Diary, published in Harper's Magazine for March, 1885, it appears that the President "Gave Rev. Mr. Leland, bearer of the cheese of 1,235 lbs., 200 D." This was at the rate of sixteen cents per pound, which, by the "Prices Current," was five cents a pound more than cheese was worth. What use was to be made of the money is not known.

their fears had been that the administration of government bordered on monarchy. But now their joy was great, for they were sure the Government would be turned back to its virgin purity. The task was arduous, the task was great; but God in his wisdom had raised up a Jefferson to defend republicanism and baffle the arts of aristocrats. These solemn truths stated, the address closed with a pun. The free-born farmers had at first intended to stamp some "significant inscription" on their cheese. But they had suffered such inconvenience from John Adams's stamps on paper that they sent it in a plain republican form.

A copy of this document was quietly handed to Mr. Jefferson some hours before the presentation, that he might prepare and write out a reply. This done, the committee were admitted to the "Executive Mansion," read and presented their address, heard and received Mr. Jefferson's answer, and departed for Cheshire, assuring the people, through the press, that they were much pleased with the republican simplicity of the whole affair. Accepting the cheese, the President said: "I receive with peculiar pleasure the testimony of good-will with which your fellow-citizens have been pleased to charge you for me; it represents an extraordinary proof of the skill with which those domestic arts, which contribute so much to our daily comforts, are practiced by them, and particularly by that part of them most interesting to the affections, the care, and the happiness of men." * A year later a sprightly damsel, on her way to Virginia, dined at the White House, and was shown the great cheese as one of the sights of Washington. Mrs. Madison, who exhibited it, "seemed quite at home; in fact, appeared to be mistress"; took her "from room to room, not excepting the chamber of Mr. Jefferson and his secretary," where, "in her usual sprightly and droll manner, she opened the President's wardrobe and showed his odd but useful contrivance for hanging up jackets and breeches on a machine like a turnstile."

Both the cheese and the President at once became the subject of Federal wit. Jefferson, in his inaugural speech, used

* The address and the President's reply are given in full in the Gazette of the United States, January 20, 1802.

the words "taking bread from the mouth of labor." He was now advised to fill it with cheese. He was plainly told that, if he had not time to do honor to the representatives of the people by meeting them in their chamber and delivering a speech, he certainly had none to waste in the mummery of formally accepting a useless cheese, listening to a silly address from a parcel of silly housewives, and making a grave reply. He was asked how it happened that, while his reply re-echoed most of the expressions of the address, he had nothing to say to the proud boast of the free-born farmers that, in making their gift, not a single slave took part. The carpers were assured that such questions were mean, scurrilous, and beneath notice; that nothing suited them; that censure lost its bitterness, and raillery became weak when applied alike to an inauguration speech, to appointments to office, to the sale of a war-ship, to the reception of a cheese, to a message to Congress, and the execution of a treaty with France.

The convention was a fit subject of censure, and has been for eighty-four years. When the paper, as amended by the Senate, came back to Napoleon, he, too, began to amend, and added the few words * which for two generations have been so fruitful of injustice. By them the Government of the United States agreed to barter the claims of American citizens on France for spoliation committed before 1800 for like claims of Frenchmen on the United States. Having thus cut off her despoiled and ruined citizens from any possibility of recompense by France, she persistently refused to compensate them herself. Having released herself of the just demands of France, she dishonestly declined to recognize those very claims by which she obtained release. The claimants, however, lost no time in pressing them, and, on the fourth of January, held a meeting at the City Tavern, at Philadelphia, and chose a committee to prepare a memorial to Congress.

On the same day, in the Senate, the Republicans opened their attack on the work of the last administration. The

* On February 13, 1801, the Senate expunged the second article of the convention. To this Napoleon agreed, "provided, that by this retrenchment the two States renounce the respective pretensions which are the object of the said article." To this the Senate agreed December 19, 1801.

Alien Law had expired. The Sedition Law had expired. The additional troops had been disbanded. The naval vessels had been sold or anchored at the Navy Yard. But the judiciary remained, and with the judiciary they began, for a Republican hated nothing so much as a judge of a Federal court. The recollection of the foreign missions of Chief-Justices Ellsworth and Jay, of the surrender of Nash, of the conviction of Williams, of the sentence of Fries, of the long list of writers punished for sedition, of the midnight appointments of the memorable third of March, 1801, was still exasperating. During eight years they had longed for revenge, and, having at last obtained the power, they hurried on to take that kind of vengeance which is the lowest, the most despicable, the most unjustifiable of all, the vengeance inspired by political malice. It is impossible for any truthful man to say that the reform made in the judiciary system by the Federalists was unnecessary or bad. But for this neither the Republicans nor their leader cared. In his message, Jefferson had expressed conviction that the whole system would be swept away. "The judiciary system of the United States"—these are his words—"and especially that portion of it recently erected, will, of course, present itself to the contemplation of Congress; and, that they may be able to judge of the proportion which the institution bears to the business it has to perform, I have caused to be procured from the several States, and now lay before Congress, an exact statement of all the causes decided since the first establishment of the courts, and of those which were depending when additional courts and judges were brought in to their aid."

Taking the hint, John Breckenridge, of Kentucky, notified the Senate that he should, ten days later, move for the order of the day on that part of the message which related to the judiciary. Meanwhile the Senate passed a resolution of great importance to all who watched what that body did. Hitherto men who came to the Senate to take notes found it impossible to report debates. Their place was with the public in the upper gallery, so far removed from the floor of the chamber that they could not hear what the senators said. Now the editor of the National Intelligencer was assigned a place on the

floor, where he could both hear and see all that was said and done. He was a Republican; the Federalists, therefore, when the yeas and nays were taken, disgraced themselves by attempting to keep him out.

Among the first notes he made in his new seat were those of a resolution, moved by Breckenridge, that an act to provide for the more convenient organization of the courts of the United States ought to be repealed. The law, said he, is unnecessary and improper, and, being so, the courts and judges set up by it ought to be swept away. Papers now before this House show, that on the fifteenth of June, 1801, there were pending, in all the circuit courts, not counting that of Maryland, fifteen hundred and thirty-nine suits. The number is great; but many of them spring from sources of litigation which, it is hoped, are now dried up forever. Suits brought by British creditors are nearly ended. There will be no more prosecutions in consequence of the Whisky Insurrection; no more for frightening assessors in the Hot-Water war; no more, thank God, under the Sedition Act. Many have arisen under the excise law; but that source of litigation will, it is quite likely, be choked during the present session. Already the effect is visible; the dockets each year grow shorter and shorter. Twelve hundred and seventy-four were begun in 1799. Six hundred and eighty-seven were started in 1800. How, then, can it be necessary to add to the number of courts, when the business for them to transact is steadily and rapidly lessening? Can the time ever come when the people of the United States will stand in need of thirty-eight Federal judges, at a yearly cost of one hundred and thirty-seven thousand dollars? But, these courts and judges being made, can we destroy them? Most surely. Congress, says the Constitution, may establish inferior courts. The word is "may," not "shall." The power is discretionary, and Congress may or may not use it. Now, is it not a misuse of language to say that, while Congress may, from time to time, establish inferior courts, yet it cannot, when once established, abolish them? The courts gone, must not the judges go? They are unquestionably to hold office during good behavior. But can this be tortured to mean that the judge shall exist when the place he was appointed to fill does not?

The construction which the gentleman places on "may," was the reply, pulls down his own argument. It is true the Constitution says Congress may, from time to time, ordain and establish inferior courts. But the very next sentence declares that the judges "shall" hold office during good behavior, and "shall" be paid at stated intervals, which pay "shall" not be diminished while they continue in office. Here, then, is "shall" used three times. If "may" gives Congress discretion, does not "shall" take it away? Why this provision? Why guard the judge against loss of pay and not against loss of place? How can the command "shall hold office during good behavior" be complied with if the judge, while behaving well, is turned out of office by its abolition? Does the Constitution mean you shall not take the man from place, but you may take the place from the man? that you shall not drown him, but you may sink his boat under him? that you shall not put him to death, but you may take his life? Gentlemen say one Congress cannot bind another; that what one does the next may undo. Is it so? Can we annul compacts? Can we destroy the national debt? The meaning of the Constitution is this: Congress may or may not create an inferior court, but the judge once appointed, he shall hold office; and, while he behaves, Congress cannot turn him out.

The two most notable speeches in the whole debate were the savage attack of Giles on John Adams, and James Bayard's cold reply. Giles, in the course of his tirade, declared that congressmen who voted for the Judiciary Bill in February had been given places under it in March, and hinted that the places were rewards for their votes.

This charge, said Bayard, is serious, and, if true, it cannot be palliated; it cannot be excused. But the evidence on which the member from Virginia relies could, by application to Mr. Jefferson, be shown to be of a worthless kind. When the contest for the Presidency was before the House, Mr. Claiborne held the vote of Tennessee. He cast it for Jefferson, and is now Governor of Mississippi Territory. New Jersey sent five delegates. Two were for Jefferson and two for Aaron Burr. Mr. Linn was long in doubt. But he too voted for Jefferson, and is now supervisor of the district wherein he lives. Matthew

Lyon was also an important man. He divided the vote of Vermont. Had he been away, that State would have gone to Mr. Burr. To reward him was impossible, for his character was low; but his son had been given a fine place. Edward Livingston controlled more than one of New York's votes. He was made District Attorney and his brother Minister Plenipotentiary to the Republic of France. Charles Pinckney was not a member of the House. But he was the most efficient and the most successful promoter of Jefferson's election. His zeal and industry knew no bounds; he decided the doubtful politics of South Carolina, and was sent Minister to the Court of Madrid. Did these many instances prove the Executive had been corrupt? He thought not. And if five instances were not enough to shake the confidence of men in the purity and fairness of the present Executive, were two instances* enough to prove corruption in the last? Every Republican who heard him must have winced, for it is impossible to believe that either they or any one who knows the character of Jefferson can for one moment doubt that the five places were rewards.

John Randolph undertook to reply. As he rose he called Bayard the Federal Goliath, and likened himself to David with the simple weapon of truth, a stone and a sling. The Federal writers carried out the figure, and he was long called "Little David," "Jack the Giant-killer," and "The Man with the Sling."

With few interruptions, the debating went on till the third of February. Day after day the same arguments were made over and over again. The repeal was proper and constitutional; it was improper and unconstitutional. It was proper because the country did not need six supreme judges, sixteen circuit and sixteen district judges. The repeal was improper because the dockets could not be kept clear with less. Under the old system the six justices, it was said, are required to be present on the Supreme Bench at Washington twice each year, and to hold inferior court in each State, except Kentucky and

* Senator Read, of South Carolina, and Senator Green, of Rhode Island, were made district judges to fill vacancies created by the promotion of two district judges to the circuit bench.

Tennessee, twice each year. No sooner does the court adjourn at Washington than the justices must throw a few clothes into a portmanteau, rush to the stage-office, and go off north, east, and south on their circuits. Not a moment is allowed them for rest, for study, for the enjoyment of the blessings of home. They must hurry on from place to place; holding court one day here, another day there; sleeping half the night in a stage-coach and half in a tumble-down inn, thanking God that storms and floods and broken roadways have not forced them to seek shelter in the woods. And when the rains do descend, and the floods do rise, and the justice is detained, what a picture is presented by the lawyers, clients, witnesses, and jurors, fuming and grumbling while his Honor the judge holds fast to a seat of a coach as it flounders and lurches through the mud miles from the town, and long after the time appointed for opening court! It is this kind of discomfort and this kind of delay that the act passed on the thirteenth of February, 1801, is intended to remove. Such racing over the country may be fitting for a post-boy, but it forms no part of the duty of a judge.

Nothing that the friends of the judiciary said, turned one vote, and, when the roll was called on the third of February, sixteen senators answered Yea and fifteen Nay. The next day the Senate Bill was read the first time in the House. There another month was consumed in making and hearing the same kind of arguments, the same kind of speeches, the same kind of appeals as had already been taken down by the short-hand writer to the Senate. The merchants and traders at Philadelphia, the Chamber of Commerce at New York, the lawyers practicing before the United States District Court of New Jersey, sent in memorials begging that the judiciary act be not repealed. The Federal newspapers cried out that the Constitution was in danger; that the destruction of the courts would be followed by the destruction of every safeguard to liberty the instrument contained, and the country ruled by the whims and freaks of the majority of Congress.

And who were the men that made the majority of Congress? Sixteen of the thirty-two senators were from slave-holding States. Fifty-seven of the one hundred and five

representatives were native Virginians. Let New England remember this; let a steady eye be kept on Congress, for men of the Eastern States were never born to belong to the provinces of Virginia. But these fifty-seven Virginians, and two more to help them, were determined that "Poor Jude," such was the name the Republicans gave the judiciary, should perish, and it did. On the third of March the Senate bill for the repeal passed the House by a great majority. The yeas were fifty-nine and the nays thirty-two. The same bill provided that all acts and parts of acts relative to the organization of United States Courts in force before the passage of the act of February, 1801, should, on the first day of July, 1802, be revived.*

The Federalists received the news with every manifestation of grief, filled their newspapers with lamentations, composed long epitaphs on the death of the Constitution, and put broad, black borders around the paragraphs announcing that the judiciary act had been repealed. The question, whether the Constitution should be kept inviolate or be sacrificed to Democratic frenzy, was, they asserted, now put to rest. The threat, in the letter to Mazzei, that the Constitution must be destroyed that liberty might be preserved, was about to be carried out. Already the work was begun. From New York, from Pennsylvania, from North Carolina, had come proposed amendments. Virginia had voted two or three more. Thus, by clipping and paring, violating and amending, there would soon be nothing of the original left. If the Old Dominion was so eager to make the great charter of American liberty perfect, why did she not wipe out the words "three fifths of all other persons"? These other persons were the negro slaves on the Virginia plantations. More than eight hundred and sixty-nine thousand such other persons were in the United States, and this number was rapidly growing. Every fifty-five thousand of them would have one representative in Congress, or fifteen in all. Thus, at the next election of President, fifteen votes would be given in the electoral colleges in behalf of animals having no more voice in the choice of electors than eight hundred and sixty-nine thousand black cattle of New Eng-

* Approved March 8, 1802.

land, or as many codfish on the coast. But this was an amendment no Jacobin State would ever propose.

Yet Jefferson, they would continue, would persuade us that he is the true friend of labor. Did he not tell us in his speech on inauguration-day that he was about to set up a wise and frugal government, one that should restrain men from injuring each other, that should leave them free to regulate their own pursuits, that should not take from the mouth of labor the bread it had earned? Has he done so? Has he prevented men from harming each other? Has he never taken bread, aye, and more than bread, from the mouth of labor? Was ever a people so trampled on, so spurned, so tyrannized over, as we since the fourth of March, 1801? A series of dismissals from office has since then taken place which ought to discredit an Executive with the tamest people under the sun. Such capricious, such revengeful, such unreasonable taking of bread from the mouth of labor could not with safety have been done by the King of England. Every day some old soldier, some time-worn patriot, some hero of '76, is told by "Th. Jefferson" that his "services are no longer required," and asked "to accept Mr. Jefferson's best wishes for his future prosperity and happiness." Is this done to make the Government frugal? Frugal! The ministerial party know not the word. Are sixty thousand dollars laid out on the Boston frigate that it might be fit to carry Mr. Livingston to France; and a thousand given to an attorney for advising the Genevan when the Attorney-General was away; and thirty-two thousand wasted in repairing the sans-culotte corvette Berceau; and eighteen thousand for outfit for two new foreign ministers to take the place of two old ones recalled; and twenty thousand eight hundred thrown away on "Nancy" Dawson for carrying the French treaty and the letter to Paine, which the supercargo of any ship would have carried for the asking; are these frugal expenditures? Why was the old Beau given six dollars a day and rations and a war-ship to take his ease in? One million and sixty thousand dollars have been needlessly expended in one year. When Jefferson spoke of "the mouth of labor," it was supposed he meant the yeomanry of the country, and all were agog to see what he would do for them. Now they

know. He will relieve them by taking off taxes on chariots, coaches, phaetons, pleasure-wagons, in which the poor never ride, unless it be behind their Virginia masters. In Virginia it is a grievous tax, and so must be attended to at once. In the Old Dominion six hundred and sixty-six coaches are kept running. In Massachusetts but ninety-nine. Rating the tax at twelve dollars, Virginia planters are deprived yearly of seven thousand nine hundred and ninety-two dollars. This will go far toward buying "three-fifths" citizens, or paying the cost of horse-races.

The tax on pleasure-carriages was but one of many removed. The Committee of Ways and Means had the matter in charge, and presented a bill for the repeal of all duties on stills and whiskey, auction-sales and retailers' licenses, refined sugar and stamped vellum, parchment and paper, pleasure-carriages, and the postage on newspapers. Both before the Committee of the Whole and in the House the Federalists opposed the bill persistently. It does not, said they, go far enough. If taxes are to be done away with, those most burdensome should be first removed, and they, clearly, are taxes on necessaries. Take out from the bill, then, refined and put in brown sugar; for licenses put bohea tea, for carriages put salt, for auctions put coffee, and we will support it heartily. This, said the Republicans, is absurd. If we place tea, coffee, and brown sugar on the free list, we are exempting imported goods, and imported goods are luxuries. Tea and coffee are not necessaries. In truth, it is questionable whether they are not, harmful to health, and their use to be discouraged. Besides by cutting off import duties you do not abolish a single office. By cutting off internal taxes you abolish a host of offices. Look, too, at the ease with which imposts are collected. Eleven millions of dollars are gathered, in fifty-four towns, by a few collectors, surveyors, and navy officers. Look, then, at the army of inspectors, assessors, and stamp-sellers, drawing from the people money by the most odious of taxes. Excise! Stamps! The words are loaded with odium this generation cannot wipe off. Salt is, indeed, a necessary of life. All men must have it. Yet, go before the people and say to them, Will you have us repeal the salt tax or the excise? and, with one voice, they

will exclaim, The excise! the excise! Tax salt if you must a hundred-fold, but relieve us from excise and stamps. Such is human nature that you had better take one hundred cents from the people in the way they approve than one cent in the way they hate. Where is the justice of these taxes? Who are they that sell at auction? The poor, driven by stern necessity to part with household goods, and the man about to emigrate and needing every dollar he can gather to help him on his journey. Should these men be taxed? It is most unequal. Maryland in 1800 paid six thousand seven hundred dollars on auction-sales, and Connecticut but one hundred and forty-two. Is that just? Take the carriage tax; who pays that? The rich? In the city of Baltimore alone more than one hundred carriages for hire parade the streets. Are these men, striving to earn an honest livelihood, to be taxed on the plea that only the rich own carriages?

The debate ran on in this way for five days. Then the bill passed by a great majority,* and an income of upwards of nine hundred thousand dollars was cut off.

Thus, two of the reforms Jefferson longed to see were accomplished. He had pulled down John Adams's midnight judges; he had swept away Hamilton's myrmidons. But the House and the Senate, having begun destruction, could not desist. The army was reduced to three thousand; the pay of the officers of the customs was diminished; it was proposed to sell the navy-yards, to abolish the Mint, to lessen the daily wages of congressmen. But the most eager reformer in the House thought himself under-paid at six dollars a day, and nothing was done. The naturalization law of 1795 was re-enacted, and a new judiciary bill passed; some constitutional amendments were voted by the House and non-concurred in by the Senate, and leave given to Ohio to form a constitution and State government. So many motions for papers and information were silently voted down by the Republicans that the seventh Congress was, in derision, named the Dumb Legislature.

The session closed on the third of May, and the wrangle about the reforms attempted was at once transferred to the press. The pamphlets written on the subject are more than a

* Ayes 61, nays 24, March 22, 1802. Passed the Senate March 31.

dozen. Taking off internal taxes, the writers on the Federal side protested, is a sham. Those which the poor feel are left, those which the rich feel are taken away. What laborer, what farmer, uses stamped paper, or rides in a pleasure-carriage? What fisherman, what artisan, what farmer, does not use salt for his cattle or his fish, sugar for his coffee or his tea, or at least Jamaica molasses? These honest, sober, and industrious men must continue to be taxed, and why? That the debt may be paid. With this great loss of certain revenue, what is to become of the interest and principal of our public debt? Who, for ten years past, have never ceased to shout, "Pay the debt, pay it to the last cent"? The men who have now deprived us of the only sure means we have of paying it. What is more uncertain than impost? During six years the yield has been large, for the whole carrying trade of the world was in our hands. But peace is now restored, France and Great Britain again have their share, and our ports even now are full of empty ships, and our streets of idle sailors. Stagnation in trade affects the farmer. In the brisk time of the war flour sold at thirteen dollars a barrel. Now it will rarely bring six. With this shrinkage in the income of the farmer should there not be a lessening of his cost of living? Will it comfort him to know that, when war duties have made him a ruined man, he may sell his horses and cows at auction without a tax, and on unstamped paper deed his farm to a creditor?

Republican essayists held that the poor paid no duty. Impost fell on the merchant, not on the consumer. Internal taxes belonged to the States, not to the General Government. They ought never to be used by the Government save in cases of national emergency. The repeal was highly popular. What town, it was asked, has petitioned against it? To wrest from the people their spare cash is bad policy. It is better that the Government should be poor and the people rich than the coffers of the Treasury heaped up and the pockets of the laborers empty.

The condition of the wages-class of that day may well be examined; it is full of instruction for social agitators. In the great cities unskilled workmen were hired by the day, bought their own food, and found their own lodgings. But in the

country, on the farms, or wherever a band was employed on some public work, they were fed and lodged by the employer and given a few dollars a month. On the Pennsylvania canals the diggers ate the coarsest diet, were housed in the rudest sheds, and paid six dollars a month from May to November, and five dollars a month from November to May.* Hod-carriers and mortar-mixers, diggers and choppers, who, from 1793 to 1800, labored on the public buildings and cut the streets and avenues of Washington city, received seventy dollars a year, or, if they wished, sixty dollars for all the work they could perform from March first to December twentieth.† The hours of work were invariably from sunrise to sunset. Wages at Albany and New York were three shillings, or, as money then went, forty cents a day; at Lancaster, eight to ten dollars a month; elsewhere in Pennsylvania workmen were content with six dollars in summer and five in winter. At Baltimore men were glad to be hired at eighteen pence a day. None, by the month, asked more than six dollars. At Fredericksburg the price of labor was from five to seven dollars. In Virginia, white men, employed by the year, were given sixteen pounds currency; slaves, when hired, were clothed and their masters paid one pound a month. A pound Virginia money was, in Federal money, three dollars and thirty-three cents. The average rate of wages the land over was, therefore, sixty-five dollars a year, with food and, perhaps, lodging. Out of this small sum the workman must, with his wife's help, maintain his family. Type-setters were paid twenty-five cents a thousand ems, and even at this rate made, the publishers complained, as much as eight dollars a week. Such great wages, combined with cost of type, paper, and clerks, induced the publishers of six newspapers‡ in the city of New York to

* See advertisements of Schuylkill and Susquehanna Canal Co., and the Lancaster and Philadelphia Turnpike Co. The companies offered provisions and a place to lodge; the laborer to find his own blanket. Every one who brought twenty-five men was to have one dollar a month added to his pay. Independent Gazetteer, January 12, 1793.

† They were, of course, found, but not clothed. See advertisement in New World, July 11, 1797.

‡ Daily Advertiser, Mercantile Advertiser, Commercial Advertiser, Daily Gazette, American Citizen, and Evening Post.

combine and put up the price of subscription from eight to ten dollars a year.* Patrons were assured that paper in the blank consumed half their subscriptions; that clerk hire had risen from three hundred and fifty to four and even five hundred dollars a year; that type cost twenty-five per cent more than at the close of the Revolution.

A like attempt on the part of the sailors to force up wages was not so successful. A number of them at New York were receiving ten dollars a month and wished for fourteen, struck, formed a band, marched about the city, and compelled seamen employed at the old rates to leave their ships and join them. But the constables were soon in pursuit, arrested the leader, lodged him in jail, and so ended the earliest of labor strikes.† That such men would have found the ills of life less burdensome had the duty on salt, molasses, coffee, and bohea tea been removed, is not likely. Yet the Federalists continued to assert that they would till their attention was drawn to the unexpected conduct of James Thomson Callender and Thomas Paine.

In the distribution of rewards which followed so close on the inauguration, Callender was not forgotten. His term of imprisonment had expired, but his fine was returned by order of Jefferson, and a full pardon granted. No one else on the list of seditious writers, neither Lyon, nor Cooper, nor Holt, was so highly favored. Why Callender was so treated he himself made known. Not content with what was given, he demanded more, asked for the Richmond post-office, was refused, was presented with fifty dollars instead, grew angry, and took his revenge. The revenge was worthy of him in his best days. He had no money with which to pay for the printing of a pamphlet, which the Federalists afterward recommended him to do, under the title of "The Prospect Behind Us." But the columns of the Richmond Recorder were open to him, and, issue after issue, he continued to fill them with foul slander and abuse. What he had already done for Hamilton in the fifth and sixth chapters of "The History of the United States for the Year 1796," he now did in a more complete way for Jefferson. The domestic crimes with which the President was charged rested on no better evidence than

* Evening Post, December 1, 1803. † This occurred in October, 1802.

the words and affidavits of his neighbors. But the political offences could not be denied. Letters written by Jefferson's own hand were produced by Callender and printed, and for once in his life this hardened and habitual liar tried earnestly to tell the truth. It was at Jefferson's suggestion, he declared, that the "Political Progress" was reprinted in America. When "The Prospect" was on the press, specimen-sheets had been sent to the then Vice-President, and were returned with praises and fifty dollars. When the second part appeared, fifty dollars more were sent. When information was wanted, Jefferson furnished it. The President, Callender claimed, had always been his friend and admirer, had said to one man that Callender was the best political writer in America, and to another that he laughed at the thought of John Adams whirling off his wig and stamping on it as he read the pages of "The Prospect Before Us." To this it was said Mr. Jefferson never used such a word as "whirling"; which in turn was disproved by a line in the "Notes on Virginia." For this, however, the Federalists cared nothing. It was enough for them to know that the President had paid one hundred dollars toward the publication of the most wicked lampoon that had been written on the administrations of Washington and Adams. That it was done to help a needy man of letters was, they declared, no justification. This was not the first time he had bestowed his bounty on hungry lampooners. When Secretary of State, a vilifier of Washington had been handsomely provided for with a Government office. When Vice-President, another had been hired for work yet more foul, and, no place being at hand, had been rewarded from his private purse. The Mammoth had a strange taste for such company. He had lost Freneau, he had lost Callender, but he still had left his early love, Thomas Paine!

The moment Paine landed he hurried to Washington and was warmly received by the President. Stories were afloat that he dined at the White House every day; that he might be seen walking arm and arm with the President every fine afternoon; that some lucrative office was soon to be given him; that he was at work on a defence of the administration. Lest these reports should be believed, Paine, in a long series of long

letters to the People of the United States, informed them what his purpose was. There was no occasion to ask, and he did not intend to accept, any place under the Government. None, in fact, could be given him that would yield an income equal to the money he could earn as an author. Did he not have an established fame in the literary world? But it would not square with his principles to make money by politics or religion. The remainder of the letter, as the contents of all that followed, consisted of abuse of Washington and Adams, and accounts of the great things Paine had done and suffered in England and in France. As specimens of offensive egotism the letters are still unsurpassed. One critic counted the number of times the pronoun I occurred in the first letter, and gave it as forty-four. Another hoped they would arouse the attention of every thinking man. Not that the talents of Paine were considerable, for they were not. Anybody could slander Washington, mock at Christianity, and prate about the rights of man. But he was now the mouth-piece of the President and his party, and, encouraged and lauded by them, he had begun a new attack on the morals and religion of the people.

The morals and religion of the people, most happily, were safe. The danger which threatened the country was the work of Napoleon, not of Paine. On October first, 1800, by the secret treaty of San Ildefonso, Spain gave back to France that province of Louisiana which, in 1762, France had given to her. It was long before the existence of this treaty was known; but the moment it was known Jefferson saw most clearly that trouble with France was not at an end. There was, he said, one spot on the face of the earth so important to the United States that, whoever held it, was, for that very reason, naturally and forever our enemy; and that spot was New Orleans. He could not, therefore, see it transferred to France but with deep regret. The day she took possession of the city the ancient friendship between her and the United States ended; alliance with Great Britain became necessary, and the sentence that was to keep France below low-water mark became fixed.* This day seemed near at hand, for in Novem-

* Jefferson to Livingston, April 18, 1802.

ber, 1802, word came that an expedition was making all haste to cross the ocean and occupy Louisiana.

Meanwhile the Spanish Intendant of the province put forth a proclamation, closed the navigation of the Mississippi to American citizens, forbade all trade, and took away the right of deposit at New Orleans. Protected by this right, the inhabitants of Kentucky and Ohio had for seven years past been floating tobacco and flour, bacon and hams, down the Mississippi in rude arks, and depositing them in the warehouses of New Orleans, there to await the arrival of the sloops and snows to carry them to the West Indies, or to points along the Atlantic coast. The Intendant could, at any time, shift the place of deposit; but, by the terms of the treaty of 1795, some convenient port near the mouth of the river must always be open for the deposit of goods and produce. In this respect, therefore, the treaty had been violated; for, when New Orleans was shut, no other town was opened.

The President, in his message to Congress at the beginning of the session, alluded to the transfer of Louisiana to France, and expressed the belief that the change in our foreign relations produced thereby would be duly considered. Mr. Griswold, in the House, was the first to call attention to this part of the message, and moved a resolution asking for papers and documents relative to the circumstances, stipulations, and conditions of the cession. The question, so bitterly discussed in the March days of 1796, the question as to the right of the House to call for such papers, was at once revived. Each party now changed place. The Federalists were for the call; the Republicans were against, and found themselves compelled to refute and explain away the very arguments they had made use of seven years before. By a strict party vote they sent the resolution to the Committee of the Whole on the State of the Union; but when the motion was made to go into the Committee of the Whole, by another party vote they voted it down. Griswold instantly moved a new set of resolutions, which in substance were: that the United States was entitled to the free navigation of the Mississippi; that free navigation had been obstructed by the Spanish Intendant, and that the duty of the House was to inquire how the right of deposit

and navigation could be restored and maintained. Such zeal in righting the wrongs of the West alarmed the Republicans. Are not these New England gentlemen, they asked, the same who in 1785 were so eager to close the Mississippi for twenty-five years? Why, then, are they now so eager to keep it open? Either to plunge the country into a war with Spain, or more likely with France, which they have been intent upon ever since the days of X., Y., and Z. This would force us to again put on the taxes we have taken off, and add to the debt we have lessened by five millions in two years, and, perhaps, lure the men of the West to once more give them the management of national affairs as the party truly devoted to the welfare of the people of Ohio, of Kentucky, of Tennessee. No such opportunity was to be given the Federalists, and the new resolutions of Griswold were voted down.

Having thus twice refused to act with spirit, the Republicans felt compelled to explain their position and announce their views. Nothing was further from their intentions than a surrender of American rights on the waters of the Mississippi. But those rights could in the present case be restored much more easily by negotiation than by measures looking toward war. The Intendant had overstepped his bounds. The blocking of the river was his work and not the work of Spain. All that the House would consent to was the passage of a very mild and peaceful resolution, lamenting the trouble, disclaiming any belief that Spain was an aggressor, and asserting a firm determination to maintain the rights of navigation and deposit.

Jefferson was now free to act without fear of meddling by the House, and he speedily did so. The Senate, in a special message, was informed that he had not been idle; that such measures had been promptly taken as seemed likely to bring a friendly settlement about, and that the purpose of these measures was the buying of so much territory on the east bank of the river as would put at rest forever the vexed question of the use of its mouth. His confidence in the ability of the Minister at the Court of France to accomplish this was unlimited. Yet he could not but believe that the end would be hastened by sending to his aid a man fresh from the United

States, and bearing with him a just and lively sense of the feeling late events in Louisiana had aroused in the great mass of the people. He therefore nominated James Monroe to be Minister Extraordinary and Plenipotentiary to France, and Minister Extraordinary and Plenipotentiary to Spain: for, Louisiana not having been actually transferred to France, it seemed proper that his Catholic Majesty should also be consulted. The Senate confirmed the nomination, and gave Monroe full power, in conjunction with Livingston in France and Pinckney in Spain, to frame any treaty or convention that extended and secured the rights of the United States on the Mississippi, and set apart two millions of dollars to be used, it was understood, for the purchase of the island of New Orleans.

The behavior of the Federalists toward the administration at this juncture bears a close analogy to the behavior of the Republicans toward the administration in the trying days of 1794. In 1794 the party of Jefferson was bent upon annoying the President, upon obstructing negotiation, upon provoking war with Great Britain; moved the sequestration of British debts, supported the discriminating tonnage resolutions, carried the non-intercourse resolutions and the embargo, and declared that the mission of Mr. Jay could bring about no good results. In 1803 the Federalists were equally confident that Monroe must fail, were equally desirous of a war with Spain, and in the Senate moved a set of resolutions equally embarrassing to the President.

When Ross arose to present them, he began a long speech on the Mississippi question, on the conduct of Spain, on the need of prompt and vigorous action, was cut short, and for ten days found no opportunity to read them to the Senate. They declared that the free navigation of the river, and the privilege of deposit on the island of New Orleans, was a clear and undoubted right of the citizens of the United States; that the late infraction of this right by Spain was an act of aggression hostile to the honor and interests of the United States; that the people of the West were deeply concerned in the possession of a place of deposit on the island of New Orleans; that the President should be authorized to take possession of some such fit place of deposit; that fifty thousand militia

should be called out if necessary, and five millions of dollars appropriated to meet the expense.

We have, said the supporters of the resolutions, been meek and submissive long enough. Our patience seems almost the patience of weakness and fear. Look over the face of the globe and find a port to which our ships, our sailors, our citizens resort, and, if you can, name one where we have not suffered from the contemptuous aggression of impotent Spain. For a year past scarcely a mail has come from foreign parts unburdened with accounts of outrages on our commerce by subjects of Spain. They insult our flag, seize our merchants, plunder our ships, impress our seamen and send them shackled with chains to dungeons to die. What wonder is it that, enduring such things from them abroad, they should grow bold and defy us at our very doors! This is no time for negotiation. The spring is almost upon us. The planting will soon begin, and must our farmers in the West be left to doubt whether, when the crops are gathered, there will be a port on the Mississippi to which they may be sent? Our duty is to dispel this doubt, seize New Orleans, keep the river open, and then, if need be, negotiate. Yet a little while and we may have to deal, not with his Catholic Majesty, but with the First Consul; not with a king, but with the very King of Kings.

We allow, said the Republicans, that the conduct of Spain has been infamous. We admit that she suffered French privateers to fit in her ports and sail thence to cruise against our commerce; that she permitted French consuls to condemn our ships sent in by French privateers; that her own subjects have captured our vessels and impressed our seamen; that her Intendant at New Orleans has obstructed navigation and taken our right of deposit away. But the policy of the United States, in cases like the present, has always been negotiation, not war. By negotiation Washington brought the country safely through the stormy times of 1794. By persistence in negotiation John Adams averted war with France. By negotiation Jefferson will, if unhampered by factious opposition, bring to a happy issue the present misunderstanding with Spain. The resolutions of Ross were therefore, one by one, voted down. In their place a bill passed authorizing the Presi-

dent to call for a provisional army of eighty thousand militia, and to spend twenty-five thousand dollars in building arsenals in the West. This bill became a law.

For the troops the President had no need. The Republicans were right, and, in a few months, far more was secured by negotiation than the Federalists had ever expected to obtain by violence and the use of arms. For months past Livingston had been striving to persuade the First Consul to sell a part of Louisiana to the United States. He begged the Spanish Minister to hinder the transfer of the district to France; for, till the transfer was made, the colonists Napoleon was bent on sending to America were not likely to sail. Again and again he demanded a speedy settlement of the debt due to American merchants, and urged the benefits France would derive by parting with a piece of her ancient soil. Not a word came in reply. The man through whose hands his notes all passed was Talleyrand, who still held under Napoleon the same place he once held under the five Directors. Change of master was the only change that able and unprincipled Minister had undergone. He was still the treacherous, grasping, ambitious knave of 1797. To Livingston he was all graciousness; but not a word of the American Minister's notes reached the First Consul that Talleyrand did not approve. To sell Louisiana was not the wish of Talleyrand. He would see France once more in possession of her old domain, firmly planted on American soil, controlling the Mississippi, setting bounds to the United States, threatening Canada, and, it might be in the near future, planting the tricolor on the walls of that great fortress from which England had pulled down the lilies of France.

It is idle to speculate what might have been the destiny of our country had Louisiana become permanently a possession of France. The thing was not to be. Convinced that Talleyrand was tricky, Livingston passed him by and wrote directly to the man whose will was the will of France. Citizen First Consul was asked if the French did not intend to pay their just debts? He was reminded that the Board of Accounts had liquidated and given certificates for about one quarter of the debt; that on these certificates the American merchants had

raised small sums to enable them to live, and that, on a sudden, while the Board went on liquidating, the certificates ceased to be given. He was told of the feeling aroused in the United States by the change about to take place in the ownership of Louisiana. He was asked to sell so much of the territory as lay south of latitude thirty-one, from the Mississippi to the Perdido; and so much as, west of the Mississippi, lay north of the Arkansas river. Thus would the United States secure the mouths of the rivers flowing from her territory to the Mexican gulf. Thus would France have a barrier placed between her and the possessions of her most ancient foe. Was not this to be considered? The cupidity of Britain knew no bounds. The Cape, Malta, Egypt had already awakened her avarice. Should she turn her arms westward, a struggle for Louisiana would at once begin. Of what use could the province be to France? To enable her to command the gulf, supply her islands, and give an outlet to her surplus population. To scatter population over a boundless region was, therefore, bad policy; the true policy was to concentrate and keep it near the sea. The country south of the Arkansas could well maintain a colony of fifteen millions of souls. Could France keep more in subjection? Ought not far-away colonies to be moderate in size? Would rich and prosperous settlements up the Missouri river always be content to pay allegiance to the distant ruler of France?

These memorials brought a speedy reply. Livingston was assured that the First Consul would see to it that the debts were paid, and would send a minister to the United States with full power to act. The minister was to have been General Bernadotte; but on this mission he was destined never to depart. In March the quarrel with England concerning Malta grew serious. "I must," said Napoleon to Lord Whitworth, in the presence of the assembled ministers of Europe, "I must either have Malta or war." New combinations were forming against him in Europe; all England was loudly demanding that Louisiana should be attacked, and, lest it should be taken from him, he determined to sell it to the United States.

April eleventh Talleyrand asked Livingston for an offer for Louisiana entire. The island of New Orleans and West

Florida, he was told, were wanted, and no more. This much sold, what remained would, he asserted, be of small value. He would therefore like to know what price the United States would give for all. Livingston thought twenty millions of francs, and Talleyrand departed, protesting the sum was far too small.

The next day Monroe reached Paris, and the day after Barbé Marbois, Minister of the Treasury, called. Marbois astonished Livingston by declaring that one hundred millions of francs and the payment of the debts due American citizens was the price of Louisiana. This would bring the cost to one hundred and twenty-five millions, for at twenty-five millions of francs Livingston estimated the debts. He pronounced the price exorbitant; Marbois admitted that it was, and asked to take back to St. Cloud an offer of eighty millions of francs, including twenty millions for the debts. Some higgling now took place; but on these terms the purchase was effected by the three instruments dated April thirtieth, 1803.

The first was a treaty of cession; made over the province as obtained, by the treaty of San Ildefonso, from Spain; stipulated that, as soon as possible, the inhabitants should be incorporated into the Union and admitted to the full enjoyment of all the rights and immunities of citizens of the United States; that they should meanwhile be protected in possession of their liberty, property, and the exercise of the religion they professed; and that ships from France or her colonies, or from Spain or her colonies, laden with the produce, the manufactures, the wares of the countries whence they came, should, for the space of twelve years, enter any of the ports of Louisiana, yet pay no more duty, no more tonnage, than was exacted from citizens of the United States bringing goods directly from France or Spain, or colonies under their control.

The second, called a convention, arranged the price and manner of payment. Sixty millions of francs, or, as then calculated, eleven millions two hundred and fifty thousand dollars, were to be put into a six per cent stock with interest, payable semi-annually at London, Amsterdam, or Paris. Fifteen years after the exchange of ratification the payment of the principal was to begin in yearly instalments of not less

than three millions of dollars each. The value of the dollar was fixed at five and one third francs.

The third document was likewise a convention, and treated of the debts. None were to be paid but to creditors of France for supplies, for losses by embargoes, for losses sustained at sea before September thirtieth, 1800; nor were those paid to amount, with interest, to more than twenty millions of francs.

Jefferson was greatly puzzled when these three documents reached his hand. He had offered to buy an island for a dock-yard and a place of deposit. He was offered a magnificent domain. He had been authorized to expend two millions of dollars; the sum demanded was fifteen. As a strict constructionist he could not, and for a while he did not, consider the purchase of foreign territory as a constitutional act. But, when he thought of the evils that would follow if Louisiana remained with France, and of the blessings that would follow if Louisiana came to the United States, his common sense got the better of his narrow political scruples, and he soon found a way of escape. He would accept the treaty, summon Congress, urge the House and Senate to perfect the purchase, and trust to the Constitution being mended so as to make the purchase legal. The six months allowed for deliberation would expire on the thirtieth day of October. The Congress was therefore summoned to meet on October seventeenth.

Nothing so finely illustrates the low state to which the once prosperous Federalists were fallen as the turbulent and factious opposition they now made to the acquisition of Louisiana. But a remnant of the great party remained. Tens of thousands of independent thinkers, to whom good government was better than political strife, who were under the lash of no political chief, who believed that the duty of every honest man in the party of the minority was to uphold, not pull down, the government of the majority so long as that government labored for the common good, had drawn off from the party of Hamilton, and now gave a warm support to the Republican cause. To them the administration of Jefferson deserved support. They had seen promised reforms become actual reforms. They had seen the Federalists add eight millions to the public debt in five years. They had seen the Republicans

reduce the debt by five millions in two years. They had seen the Federalists go to the very limit of constitutional taxation in the laying of a direct tax. They had seen the Republicans dry every source of internal revenue, and still have money to spare. Never had the Government been so smoothly, so savingly, carried on. With such an administration they could find no fault. Government by the old friends of Washington was not worth the money wrung from the people by the grinding taxes it imposed. Not a State election, therefore, took place out of New England but showed large Republican gains.

To the narrow partisans who remained in the Federal ranks the good which Jefferson accomplished went for nothing. It was a maxim with them that nothing which Thomas Jefferson did was right; and that, till the day came round when they should again be placed in power, the Government would never be stable, the country would never be safe. They ceased to contend for principle, and began to contend for place. They became mere obstructionists, a sect of the political world which, of all other sects, is most to be despised. They received the news of the best and wisest act of Jefferson's whole administration with a roar of execration they ought to have been ashamed to send up.

Men who believed in assumption, in the National Bank, in the Alien and Sedition Bills, now affected to consider the purchase of foreign territory unconstitutional in the extreme. Some were worried lest the East should become depopulated, lest a great emigration should set in, lest old men and young men, abandoning homes and occupations, should cross the Mississippi and perhaps found there a republic of their own. Some feared that mere extent of territory would rend the Republic apart; that no common ties of interest could ever bind together under one government men who fought Indians and trapped bears around the head-waters of the Missouri, and men who built ships and caught fish in the harbors of the Atlantic coast. Some affected the language of patriots and lamented the enormous increase the purchase would make in the national debt. This, indeed, became a favorite theme, and soon Federal writers and printers all over the land were vieing

with each other in attempts to show the people what an exceedingly great sum of money fifteen millions of dollars was.

Fifteen millions of dollars! they would exclaim. The sale of a wilderness has not usually commanded a price so high. Ferdinand Gorges received but twelve hundred and fifty pounds sterling for the Province of Maine. William Penn gave for the wilderness that now bears his name but a trifle over five thousand pounds. Fifteen millions of dollars! A breath will suffice to pronounce the words. A few strokes of the pen will express the sum on paper. But not one man in a thousand has any conception of the magnitude of the amount. Weigh it, and there will be four hundred and thirty-three tons of solid silver. Load it into wagons, and there will be eight hundred and sixty-six of them. Place the wagons in a line, giving two rods to each, and they will cover a distance of five and one third miles. Hire a laborer to shovel it into the carts, and, though he load sixteen each day, he will not finish the work in two months. Stack it up dollar on dollar, and, supposing nine to make an inch, the pile will be more than three miles high. It would load twenty-five sloops; it would pay an army of twenty-five thousand men forty shillings a week each for twenty-five years; it would, divided among the population of the country, give three dollars for each man, woman, and child. All the gold and all the silver coin in the Union would, if collected, fall vastly short of such a sum. We must, therefore, create a stock, and for fifteen years to come pay two thousand four hundred and sixty-five dollars interest each day.* Invest the principal as a school fund, and the interest will support, forever, eighteen hundred free schools, allowing fifty scholars and five hundred dollars to each school. For whose benefit is this purchase made? The South and West. Will they pay a share of the debt? No, for the tax on whiskey has been removed.

Statistics, most happily, were of no avail. The mass of the people pronounced the purchase a bargain. The Senate, on October nineteenth, ratified the treaty and conventions; the ratification of Napoleon was already in the hands of the French

* Up to June 30, 1880, the total cost of the Louisiana purchase, principal, interest, and debts assumed, was $27,267,621.98.

chargé, and on October twenty-first Jefferson informed Congress that ratifications had that day been exchanged. On November tenth the act creating the eleven millions two hundred and fifty thousand dollars of stock called for by the first convention was passed. On December twentieth, 1803, Louisiana was peaceably taken possession of by the United States.

The Province of Louisiana, as the region came to be called, was to the Americans of that day an unknown land. Not a boundary was defined. Not a scrap of trustworthy information concerning the region was to be obtained. Meagre accounts of what travellers had seen on the Missouri, of what hunters and trappers knew of the upper Mississippi, of what the Indians said were the features of the great plains that stretched away toward the setting sun, had indeed reached the officials, and out of these was constructed the most remarkable document any President has ever transmitted to Congress. It told of a tribe of Indians of gigantic stature; of tall bluffs faced with stone and carved by the hand of Nature into what seemed a multitude of antique towers;* of land so fertile as to yield the necessaries of life almost spontaneously;† of an immense prairie covered with buffalo, and producing nothing but grass because the soil was far too rich for the growth of trees;‡ and how, a thousand miles up the Missouri, was a vast mountain of salt!# The length was one hundred and eighty miles; the breadth was forty-five; not a tree, not so much as a shrub was on it; but, all glittering white,

* "Some of the heights exhibit a scene truly picturesque. They rise to a height of at least 300 feet, faced with perpendicular lime and free stone, carved into various shapes and figures by the hand of Nature, and afford the appearance of a multitude of antique towers." An Account of Louisiana. Being an Abstract of Documents delivered in or transmitted to Thomas Jefferson, President of the United States of America; and by him laid before Congress, and published by their Order. 1804, p. 7. † Ibid. ‡ Ibid.

"There exists, about 1,000 miles up the Missouri, and not far from that river, a salt mountain! The existence of such a mountain might well be questioned, were it not for the testimony of several respectable and enterprising traders who have visited it, and who have exhibited several bushels of the salt to the curiosity of the people of St. Louis, where some of it still remains. A specimen of the salt has been sent to Marietta. This mountain is said to be 180 miles long and 45 in width, composed of solid rock-salt, without any trees or even shrubs on it." Ibid., p. 7.

it rose from the earth a solid mountain of rock-salt, with streams of saline water flowing from the fissures and cavities at its base! The story, the account admitted, might well seem incredible; but, unhappily for the doubters, bushels of the salt had been shown by traders to the people at St. Louis and Marietta.

Even this assurance failed to convince the Federalists. Everywhere they read the story with the scoffs and jeers it so richly deserved. Can the mountain, one journal asked, be Lot's wife? Has the President, asked another, been reading the "Mysteries of Udolpho"? What a dreadful glare it must make on a sunshiny day! exclaimed a third. No trees on it? How strange! There ought surely to be a salt eagle to perch on the summit, and a salt mammoth to clamber up its side. The President, being a cautious philosopher, has surely been afraid to tell us all; he must have kept much back, else we should have seen some samples from that vale of hasty-pudding and that lake of real old Irish usquebaugh that lies at the mountain's base. The stories told fourteen years since about the Ohio country are now surpassed. The pumpkin-vines, the hoop-snakes, the shoe-and-stocking tree of the Muskingum, are but "pepper-corns" beside the mountain of salt.*

Bad as was the Federal wit, the labored attempts of the Republican journals to prove the existence of the mountain were more stupid still. The fact was pronounced undoubted. Bits of the salt had reached the President; nay, were to be seen at Washington, at New York, at Boston among the curiosities of Mr. Turell's museum. There, the editor of the Columbian Centinel had the impudence to assure his readers, he had seen a piece the size of a hen's egg from the banks of the Missouri.† But one had the courage and good sense to declare the story was half a fable. The editor of the National Ægis

* Connecticut Courant, November 30, 1803. New England Repertory, December, 1803. Gazette of the United States, December 23, 1803. Boston Gazette, December 5, 29, 1803. Herald, November 30, 1803. Spectator, November 26, 1803. Independent Chronicle, December 5, 1803. National Ægis, December 7, 1803.

† In support of the mountain, see Columbian Centinel, December 3, 7, 10, 1803. Independent Chronicle, December 5, 8, 29, 1803. The Bee, December, 1803.

did not, he asserted, for a moment believe that a huge mountain of salt stood gleaming and glittering in the sun. The deposit was probably a great, deep mine, a mountain in extent underground.* Neither the President, nor any member of the Government, had explored Louisiana. In describing the country, such facts had to be used as were supplied by travellers, and that class of travellers so much disposed to magnify molehills into mountains. What wonder, then, that some fabulous embellishments crept into the account which, undoubtedly, the President sent to Congress without reading through! †

The vexed question of the existence of the salt mountain was soon to be put at rest. Many months before, ‡ while the country was excited over the closing of the Mississippi, Jefferson urged Congress to send a party of explorers up the Missouri to its source, and thence overland to the Pacific Ocean. The idea was a happy one, was approved, an appropriation made, and Meriwether Lewis and William Clark chosen to carry out the plan. Jefferson drew their instructions, and, on May fourteenth, 1804, the party entered the Missouri. In time they crossed the mountains, reached the Pacific, and wandered over that fine region which came afterward to be known as Oregon.

By Oregon was meant what is now included in the State of Oregon, the Territories of Washington and Idaho, and so much of British America as lies between the Rocky Mountains, the parallel of 54° 40′, and the sea. That part of Oregon within the boundary of the United States has, since the publication of the Ninth Census, been often included in the Louisiana purchase. This is wholly wrong. Never, at any time, did Oregon form part of Louisiana. Marbois denied it. Jefferson denied it. # There is not a fragment of evidence in its behalf. Our claim to Oregon was derived, and derived solely, from the Florida Treaty of 1819, the settlement at Astoria, the explorations of Lewis and Clark, and the discovery of the Columbia river by Robert Gray.

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* For an account of the rock-salt mine in the State of Louisiana, see the Report on the Salt Industry of the United States in the Tenth Census.

† National Ægis, December 7, 1803.

‡ January 18, 1803. # Jefferson to John Melish, December 31, 1816.

The story of that discovery deserves to be told. The voyage of the good ship Empress to Canton, and the account which the supercargo brought back, stirred the New England merchants to send direct to China for silks and tea. A new trade at once sprang up, and, by 1787, became so brisk that five ships were on their way to China. But the balance of trade was against them. There was much in China wanted by Americans. There was little in the United States wanted by the Chinese. No ship that did not carry out bags heavy with specie had any prospect of coming home with her hold packed with chests of tea. To overcome this hindrance, for specie was scarce and little seen, some Boston merchants determined to associate, gather furs of the Indians on the northwest coast, and with skins, in lieu of money, carry on the trade at Canton. Two ships were instantly made ready, and loaded with knives, bars of iron, blankets with gay borders, and copper pans. Congress gave them sea letters, Massachusetts gave them passports, and Gardoqui letters to the servants of his Catholic Majesty on the shores of the South Sea. The Columbia, of two hundred and twenty tons, was commanded by John Kendrick; Robert Gray was master of the Washington, of ninety tons burden. Together they left Boston September thirtieth, 1787, doubled Cape Horn in January, and there parted company in a storm, to meet again off the northwest coast. And now the captains changed ships. Kendrick remained with the Washington. Gray took the Columbia with a cargo of furs to Canton, and on the tenth of August, 1790, entered Boston harbor with a cargo of tea. Of all Americans he was the first to carry the United States flag around the world. So successful was this venture that, on September twenty-eighth, 1790, Gray again sailed for the Pacific, and in the spring of 1791 was on the coast. Sailing northward, he came suddenly before an opening in latitude 46° 10′. To him it seemed the mouth of a great river, and from it rushed a current so strong that, though he spent nine days in the attempt, he could not pass the breakers. And now in turn Vancouver passed the same opening, noticed the same muddy water, and, from the masthead, beheld the same lines of breakers dashing upon the bars. The river-colored water he attributed to "some streams falling

into the bay." The breakers he mistook for surf upon the coast, and, sailing on, noted in his journal that the rivers long believed to flow into the Pacific "were reduced to brooks insufficient for our vessels to navigate, or to bays inaccessible as harbors for refitting." Scarcely was this entry four hours old when, April twenty-ninth, 1792, Gray fell in with him, and told him of a river in latitude 46° 10′, with an outlet "so strong as to prevent his entering for nine days." But the Englishman would not believe him, and the two parted.

Convinced that he was not deceived by appearances, Gray returned to the place at once, sailed boldly through the breakers, and, thirteen days after leaving Vancouver, found himself on the bosom of that magnificent river which now bears his ship's name. There he remained for nine days, explored the Columbia for thirty miles, traded with the Indians, mended and painted his vessel, and, having filled his casks with water from the river, beat out over the bar, and so established the first claim of the United States to the soil of Oregon.

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Edmund Randolph, January 2, 1794.
Timothy Pickering, December 10, 1795.
John Marshall, May 13, 1800.
James Madison, March 5, 1801.
Treasury, Secretaries of:
Alexander Hamilton, September 11, 1789.
Oliver Wolcott, February 2, 1795.
Samuel Dexter, January 1, 1801.
Albert Gallatin, May 4, 1801.
War, Secretaries of:
Henry Knox, September 12, 1789.
Timothy, Pickering, January 2, 1795.
James M'Henry, January 27, 1796.
Samuel Dexter, May 13, 1800.
Roger Griswold, February 3, 1801.
Henry Dearborn, March 5, 1801.
Navy, Secretaries of:
George Cabot, May 3, 1798.
Benjamin Stoddart, May 21, 1798.
Robert Smith, July 15, 1801.
Attorneys-General:
Edmund Randolph, September 26, 1789.
William Bradford, January 27, 1794.
Charles Lee, December 10, 1795.
Theophilus Parsons, February 20, 1801.
Levi Lincoln, March 5, 1801.
Postmasters-General:
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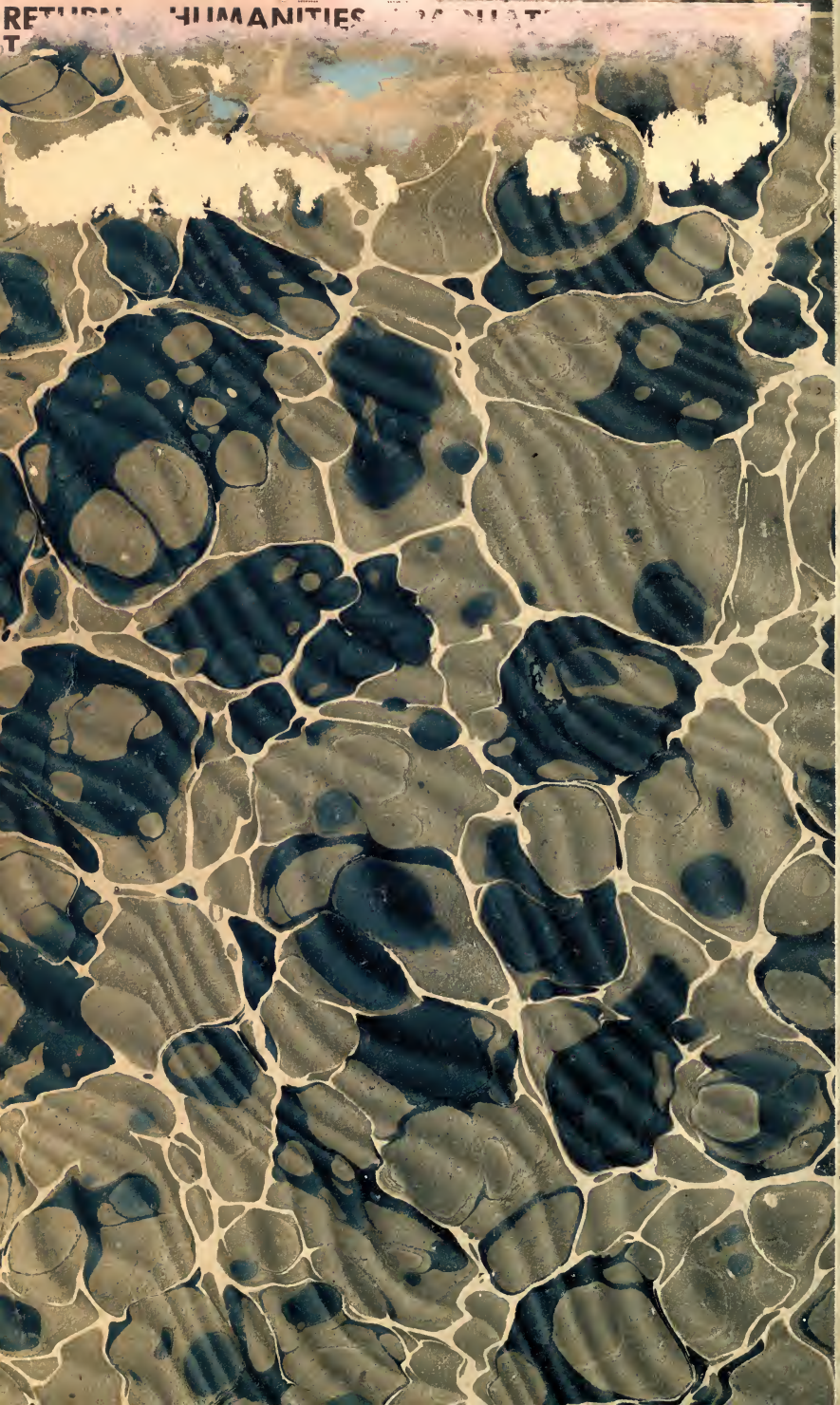

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